



Alabama Security Regulatory Board
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MINUTES
Board Meeting
Thursday, May 22, 2014

A meeting of the Alabama Security Regulatory Board was called to order at 1:30 p.m. on Thursday, May 22, 2014, at its office located at 2777 Zelda Road, Montgomery, Alabama, in order to conduct business. The following Board members were in attendance: Mr. Burke Swearingen (Chair), Mr. Sid Lockhart, Mr. Kevin Murphy and Ms. Stephanie Ortel. Board member absent was Ms. Carol Dodgen. Also in attendance were Mr. Keith E. Warren (Executive Director), Mr. Cameron McEwen (Board Counsel), Mr. Randy Barrows (Administrator), Mr. Mike James (Investigator) and Ms. Renee' Reames (Executive Secretary to Mr. Warren). Guest present was Mr. Keith Gamble with Protective Services. A quorum was present.

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, www.asrb.alabama.gov.

The minutes from February 20, 2014 Board meeting were presented for the Board's approval. A copy of the minutes was provided to the Board members prior to the meeting. Mr. Lockhart made a motion to dispense with the reading of the minutes and to approve the minutes as presented. The motion was seconded by Mr. Murphy and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report filed in the official Book of Minutes), which included revenue and expense totals and fund balance as of April 30, 2014. Also reported was the total number of active licensees, certified trainers and companies, along with the total number of consumer complaints received.

Mr. Warren reported that the Board was scheduled to meet with the Sunset Committee on June 19, 2014, and that there were no significant issues or findings. Mr. Warren encouraged the Board members to attend the meeting.

Mr. McEwen presented the Legal Counsel's Report, which included settlement agreements for licensing violations:

Consent Agreement by AlliedBarton Security Services, LLC, for one violation, which included a fine of \$500 and one-year probation. Mr. Murphy made a motion to

approve the Consent Agreement by AlliedBarton Security Services, LLC as presented. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Consent Agreement by Freelend Security and Associates for one violation, which included a fine of \$500 and one-year probation. Ms. Ortel made a motion to approve the Consent Agreement by Freelend Security and Associates as presented. The motion was seconded by Mr. Lockhart and unanimously approved by the Board.

Consent Agreement by 8284, Inc. (dba Security Solutions) for two violations, which included a \$1,000 fine and one-year probation. Mr. Lockhart made a motion to approve the Consent Agreement by 8284, Inc. (dba Security Solutions) as presented. The motion was seconded by Ms. Murphy and unanimously approved by the Board.

Consent Agreement by Eagle Security, Inc. for five violations, which included a two-year probation with random inspections and a fine of \$2,000 for each of the four violations and an \$8,000 fine for the fifth violation, totaling \$16,000 to be paid on a payment schedule. Ms. Ortel made a motion to approve the Consent Agreement by Eagle Security, Inc. as presented. The motion was seconded by Mr. Lockhart and unanimously approved by the Board.

Consent Agreement by MCZ Services, LLC for two violations, which included a one-year probation and \$1,000 fine. Mr. Murphy made a motion to approve the Consent Agreement by MCZ Services, LLC as presented. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. McEwen presented for the Board's approval the Recommended Order on Findings of Fact and Conclusions of Law by the Administrative Law Judge (ALJ) who presided over a hearing for individuals who were administratively denied a license and requested an appeal hearing. Mr. Murphy made a motion to enter into Executive Session at 1:48 p.m., to discuss the good name and character of these individuals who were denied a license, with an anticipated Exit of Executive Session to be around 30 minutes. Mr. Lockhart seconded the motion and Mr. McEwen concurred with the planned discussion in Executive Session. The following votes were recorded: Ms. Ortel, aye; Mr. Murphy, aye; Mr. Lockhart, aye; and Mr. Swearingen, aye, and the motion carried. The Board reconvened the business meeting at 2:14 p.m.

Mr. Swearingen indicated that more time was needed to discuss the good name and character of individuals who were denied a license. Ms. Ortel made a motion to enter into Executive Session at 2:15 p.m. and Exit the Executive Session in approximately 15 minutes. Mr. Lockhart seconded the motion and Mr. McEwen concurred with the planned discussion in Executive Session. The following votes were recorded: Ms. Ortel, aye; Mr. Murphy, aye; Mr. Lockhart, aye; and Mr. Swearingen, aye, and the motion carried. The Board reconvened the business meeting at 2:32 p.m.

Mr. Swearingen called a five-minute recess of the Board at 2:32 p.m. The Board reconvened at 2:38 p.m.

Mr. Swearingen asked the Board to consider the Recommended Orders presented by Mr. McEwen for the eight individuals who were denied a license and an appeal hearing held:

Mr. Lockhart made a motion to accept the ALJ Recommended Order to deny a license to Alphonsa M. Washington. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Keith Deon Taylor be denied a license. The motion was seconded by Ms. Ortel and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Cheryl Joyce Thompson be denied a license. The motion was seconded by Mr. Murphy and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Hubert L. Vinson be denied a license. The motion was seconded by Mr. Murphy and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Rachael M. Haynes be denied a license. The motion was seconded by Ms. Ortel and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Nathaniel Taylor, II be denied a license. The motion was seconded by Ms. Ortel and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Richmond Lee Evans be denied a license. The motion was seconded by Mr. Murphy and the motion to deny a license was unanimously approved by the Board.

Mr. Lockhart made a motion that there was sufficient evidence to support Kasaundera L. Plemons be denied a license. The motion was seconded by Ms. Ortel and the motion to deny a license was unanimously approved by the Board.

Mr. Swearingen stated that a Final Order would be sent to these individuals regarding the Board's decision.

Mr. Warren presented the proposed change to Rules and Regulations, Chapter 832-X-1-.10 Fees. He explained that the statute required a cap on fees and recommended a \$50 fee consisting of \$25 application fee and \$25 license fee. Mr. Murphy made a motion to adopt as proposed Rules as presented. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. Barrows presented, for the Board's approval, the Records Disposition Authority document. He explained the procedure of archiving, storing and destroying files. He stated that the NCI records were handled separately from this procedure. Mr. Lockhart made a motion to accept the Records Disposition Authority as presented. The motion was seconded by Mr. Murphy and unanimously approved by the Board. Mr. Barrows reported that an audit by the FBI and ABI was anticipated before the end of this calendar year.

Mr. Keith Gamble, Manager of Protective Services, presented information to the Board about his company as it relates to the Board's licensing exemption, § 34-37-C17. He explained that his Company exclusively employed off-duty law enforcement officers to work as security guards. Mr. Murphy made a motion to seek the Attorney General's opinion regarding licensing. There was no second to the motion and the motion failed. Mr. McEwen stated that there had been no complaints regarding Mr. Gamble and his company and Mr. Gamble was advised by the Board to follow the law.

The Board discussed conducting appeal hearings in the future and it was the consensus of the Board to hold the next appeal hearing(s) in the fall of 2014..

The next regularly scheduled meeting of the Board is scheduled August 21, 2014 at 1:30 p.m.

There was no further business and Mr. Lockhart made a motion to adjourn the meeting. The motion was seconded by Mr. Murphy and Mr. Swearingen adjourned the meeting at 3:27 p.m.

Respectfully Submitted,



Burke V. Swearingen
Chair



Keith E. Warren
Executive Director

