



Alabama Security Regulatory Board
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MINUTES
Board Meeting
Thursday, August 8, 2019

The Alabama Security Regulatory Board met on Thursday, August 8, 2019, at its office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business. The following Board members were in attendance: Mr. Kevin Murphy (Chair), Ms. Stephanie Ortel (Vice Chair), Mr. Burke Swearingen (member) and Ms. Debra Davis (member). Board member not in attendance was Sheriff Ben Bates (member). Also, in attendance were Mr. Keith Warren (Executive Director), Mr. Cameron McEwen (General Counsel), Mr. Randy Barrows (Administrator), Mr. Dennis Trammell (Investigator), Ms. Jennifer Love (Legal Assistant) and Ms. Renee' Reames (recording secretary). The meeting was called to order at 1:33 p.m. by Mr. Murphy, Board Chair, indicating a quorum of the members were present.

The scheduled Board meeting was advertised on the Board's web site, www.asrb.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with requirements of the Alabama Open Meetings Act.

Chairman Murphy presented, for the Board's approval, the minutes from the May 9, 2019 regular Board meeting. Copies of the meeting minutes were provided to the Board members prior to the meeting for their review. Ms. Davis made a motion to approve the May minutes as presented. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report on file in the official Book of Minutes) for the period ending July 31, 2019. He also reported on the total number of active licensees and the number of consumer complaints received in FY 2019.

Mr. Warren presented the Administrator's Report on activities performed by the staff since the last Board meeting, which included information on the number of applications processed, incomplete applications returned to applicants and licenses issued, etc. (report on file in the official Book of Minutes).

Ms. Ortel made a motion to approve the financial report as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.

Mr. McEwen presented the Legal Counsel report which included three (3) Consent Order for the Board's approval.

- Case 2019-006BR – Mr. McEwen reported that the company was unlicensed and while doing business, did not have security guards licensed within a timely manner and within 30 days of initial employment with the company. He recommended the company cease and desist until properly licensed, a fine of \$500 assessed and payable within 30 days of the effective date of this agreement and a probationary period of one year. Mr. Swearingen made the motion to approve the Consent Agreement as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.
- Case 2019-012BR – Mr. McEwen reported that the licensed company, while doing business, did not have security guards licensed within a timely manner and within 30 days of initial employment with the company. He recommended a fine of \$2,500 assessed and payable within 30 days of the effective date of this agreement and a probationary period of one year. Ms. Davis made the motion to approve the Consent Agreement as presented. The motion was seconded by Mr. Swearingen and unanimously approved by the Board.
- Case 2019-019C – McEwen reported that the company was unlicensed and while doing business, did not have security guards licensed within a timely manner and within 30 days of initial employment with the company. He recommended the company not operate business until properly licensed, a fine of \$3,500 assessed and payable within 30 days of the effective date of this agreement and a probationary period of one year. Mr. Swearingen made the motion to approve the Consent Agreement as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.

Mr. McEwen reported 12 Administrative Law Judge's recommended orders on findings of fact and conclusions of law:

- 2018-036D
- 2018-044D
- 2018-045D
- 2019-046D
- 2019-047D
- 2019-048D
- 2019-049D
- 2019-050D
- 2019-051D
- 2019-053D
- 2019-054D
- 2019-055D

He reported that the Judge (ALJ) conclude, in all of the cases, that the individuals be denied licensure from the Alabama Security Regulatory Board. Ms. Davis made the motion to accept the recommendation of the ALJ to deny licensing in the matter of all 12 cases. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. Warren presented to the Board a copy of Act 2019-230 relating to the Board's statute. He recommended that the Board begin the process of promulgating rules. Mr. McEwen commented on the Board's jurisdiction to inspect unlicensed companies and concerns by the Governor's office about scope of jurisdiction. Mr. McEwen proposed rule language concerning inspections and the Board concurred with the scope of inspections. Mr. McEwen indicated that he would present the language to the Governor's office to review, while the Board continued process of reviewing the new statute and the Board's rules.

The Board also briefly discussed subpoena power provided for in the new statute.

Ms. Davis, chair of the Training Committee, thanked the members of the committee for their time and work and recommended the current committee be dissolved. She recommended that a Minimum Standards Committee be created to define the training standards. The Board agreed to open appointment opportunities for individuals to serve in a very defined role on the Committee. Mr. Swearingen made the motion to close and discontinue the former committee and to establish a new Minimum Standards Committee to define training standards. The motion was seconded by Ms. Ortel and unanimously approved by the Board. Mr. Warren reported that he would solicit interested parties, by posting the announcement on the Board's website, to serve on the Committee with Ms. Davis, the Committee Chairperson. The Board agreed to meet on September 18, 2019 at 1:30 p.m. to consider the applications to fill the available positions on the Minimum Standards Committee.

Mr. Warren presented the annual renewal of the Administrative Services Contract for the Board's approval. Mr. Swearingen made the motion to approve the renewal of the Administrative Services Contract with Warren & Company for one year, with no changes to the contract. The motion was seconded by Ms. Davis and unanimously approved by the Board.

Mr. Warren presented the Legal Services Contract through an interagency agreement. He recommended an increase to an annual amount of \$27,500. The Board was in agreement and discussed establishing a process in support of future increases. Mr. Warren indicated that he would communicate with the other agency about the Board's interest in modifying the contract. Mr. Swearingen made the motion to approve the new interagency agreement for Legal Services. The motion was seconded by Ms. Ortel and unanimously approved by the Board.

Mr. Warren reported that the annual IASIR meeting was scheduled in late October in Baltimore. He reported that he and the two investigators planned to attend and the Board agreed.

Mr. McEwen indicated his interest in attending the FARB law seminar in October in St. Louis. Ms. Davis made the motion to approved expenditures for Mr. McEwen to attend the FARB seminar. The motion was seconded by Mr. Swearingen and unanimously approved by the Board.

Chairman Murphy opened the floor for comments. Mr. Greg Donahue commented on the reduced time to acquire licenses and thank the staff for their work. Mr. Warren commented on a software company as a potential vendor for processing licenses electronically and indicated that he would try to have more information to present at the next Board meeting.


Chairman Murphy reported the next scheduled meeting of the Board was Thursday, November 7, 2019 at 1:30 p.m. to conduct regular business of the Board and a called meeting scheduled on September 18, 2019 at 1:30 p.m. to review candidates for the Minimum Standards Committee.

There were no further business of the Board and Mr. Swearingen made a motion to adjourn the meeting. The motion was seconded by Ms. Davis and unanimously approved by the Board. Chairman Murphy adjourned the meeting at 2:35 p.m.

Respectfully Submitted,



Kevin Murphy
Board Chair



Keith E. Warren
Executive Director

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