



Alabama Security Regulatory Board
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MINUTES
Board Meeting
November 3, 2022

The Alabama Security Regulatory Board met on Thursday, November 3, 2022 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. Debra Davis (Member), Mr. Harold Stamps (Member) and Mr. Jacob Pugh (new member). Member not in attendance was Sheriff Billy Jones. Others attending were Mr. Keith Warren (Executive Director), Ms. Neva Conway (Legal Counsel), Mr. Randy Barrows (Board Administrator), Mr. Denny Merritt (Board Investigator), Mr. Mike James (Board Investigator), Mr. Dennis Trammell (Investigator), Ms. Karen Harlow (Legal Assistant), and Ms. Renee' Reames (Recording Secretary). Mr. Warren called Board roll and indicated that a quorum of the members was presented to conduct a meeting. Mr. Murphy, Board Chair, called the meeting to order at 1:30 p.m.

The regularly scheduled Board meeting was advertised on the Board's website, 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. Mr. Warren called Board roll and a quorum was present to conduct business of the Board.

APPROVAL OF MINUTES

Chairman Murphy presented, for the Board's approval, the minutes from the August 11, 2022 regular meeting. A copy of the minutes was provided to the Board members prior to the meeting for their review.

MOTION: Ms. Davis made a motion to approve the August meeting minutes as presented. The motion was seconded by Mr. Stamps and unanimously approved by the Board.

EXECUTIVE DIRECTOR'S REPORT

Mr. Warren presented the Executive Director's Report (report on file in the official Book of Minutes). The report included the financial activities of the Board for the period ending September 30, 2022. A Cash Reconciliation Report and detailed listing of Obligations vs Budget Report were presented for review. Mr. Warren reported on the total number of active licensees, along with the number of applications pending receipt of background checks. Mr. Warren reported on the number of complaints received in FY 2022 and FY 2023.

Mr. Warren also presented the Administrator's report of activities performed by the staff since last reported at the August Board meeting. He reported on upcoming changes to the licensee database that would come into effect in the 2023 calendar year. He reported on attendance at the IASIR conference held in October in Huntsville.

LEGAL COUNSEL REPORT

Ms. Conway reported that the Investigative Committee (IC) had met prior to the Board meeting to review complaint cases. The Board approved the IC's recommendation on the following cases, and it was noted that Chairman Murphy was present at the IC meeting and abstained from voting on the following Board action:

Case 2021-015 – violations found during company inspection and violations had been corrected. The IC recommended the case be closed.

MOTION: Ms. Davis made a motion to approve the IC's recommendation to close the case as having complied with Board licensure requirements. The motion was seconded by Mr. Stamps and was unanimously approved by the Board.

Case 2022-002 – violations found during complaint investigation and violations had been corrected. The IC recommended the case be closed.

MOTION: Ms. Davis made the motion to approve the IC's recommendation to close the case as having complied with Board licensure requirements. The motion was seconded by Mr. Pugh and was unanimously approved by the Board.

Case 2022-003 – violations found during complaint investigations and violations had been corrected. The IC recommended the case be closed.

MOTION: Ms. Davis made the motion to approve the IC's recommendation to close the case as having complied with Board licensure requirements. The motion was seconded by Mr. Pugh and was unanimously approved by the Board.

Case 2022-006 – complaint was investigated, and IC recommended the case the closed as unfounded.

MOTION: Mr. Stamps made the motion to approve the IC's recommendation to close the case as unfounded. The motion was seconded by Mr. Pugh and was unanimously approved by the Board.

Case 2022-007 – complaint was investigated, and IC recommended the case the closed as having no jurisdiction.

MOTION: Mr. Pugh made the motion to approve the IC's recommendation to close the case as having no jurisdiction in the matter. The motion was seconded by Mr. Stamps and was unanimously approved by the Board.

Case 2022-012 – complaint was investigated, and complaint was withdrawn by the complainant. The IC recommended the complaint be closed.

MOTION: Mr. Stamps made the motion to approve the IC's recommendation to close the case as having been withdrawn. The motion was seconded by Ms. Davis and was unanimously approved by the Board.

Case 2022-014 – complaint was investigated, and IC recommended the case be closed as having no jurisdiction. The IC recommended that the Respondent be advised to seek agency that has jurisdiction.

MOTION: Mr. Pugh made the motion to approve the IC's recommendations to close the case as having no jurisdiction in the matter and to offer other source of action. The motion was seconded by Mr. Stamps and unanimously approved by the Board.

Ms. Conway reported that eight (8) additional cases had been investigated and were pending. MOTION: Ms. Davis made the motion to authorize the Board's Legal Counsel to seek settlement and negotiations on these pending cases. The motion was seconded by Mr. Stamps and was unanimously approved by the Board.

Ms. Conway reported that the Administrative Law Judge (ALJ) had presided over 15 hearings where the Respondents had appealed the administrative denial of their license. Chairman Murphy presented the ALJ's recommendations in these cases and the following Board action was taken:

- Case 2022-017D - motion by Mr. Stamps and second by Mr. Pugh to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-019D - motion by Ms. Davis and second by Mr. Pugh to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-034D - motion by Mr. Pugh and second by Mr. Stamps to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-024D - motion by Ms. Davis and second by Mr. Stamps to uphold the dismissal of the case. The motion was unanimously approved by the Board.
- Case 2022-025D - motion by Mr. Pugh and second by Mr. Stamps to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-027D - motion by Mr. Stamps and second by Ms. Davis to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-028D - motion by Ms. Davis and second by Mr. Stamps to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-029D - motion by Mr. Pugh and second by Mr. Stamps to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-030D - motion by Mr. Stamps and second by Ms. Davis to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-031D - motion by Mr. Pugh and second by Mr. Stamps to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-032D - motion by Ms. Davis and second by Mr. Pugh to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-033D - motion by Mr. Stamps and second by Ms. Davis to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-035D - motion by Mr. Stamps and second by Ms. Davis to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-037D - motion by Mr. Pugh and second by Ms. Davis to uphold the denial of license. The motion was unanimously approved by the Board.
- Case 2022-038D - motion by Ms. Davis and second by Mr. Pugh to uphold the denial of license. The motion was unanimously approved by the Board.

OLD BUSINESS

Adoption of Final Rule 832-X-1-.04 Applications; Licensure and Certification: Mr. Warren presented the proposed final rule 832-X-1-.04 for the Board's approval. He indicated that the rule had been published for public comment and no comments were received. Chairman Murphy called for comments from the attendees and no comments were provided.

MOTION: Mr. Stamps made a motion to approve the changes to rule 832-X-1-.04 as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.

Minimum Standards Committee Discussion: Mr.

Ms. Davis commented on attending the recent IASIR conference and having received training information. She reported that Mr. Jamie Ridenhour had been appointed to the Committee, as the Committee considers adding content to the Board-based training syllabus. She also indicated that the Committee welcomed input from others.

Discussion of Proposed Legislation: Mr. Warren reported that the 2023 Legislative Session was scheduled to begin in March, and he reminded the members about discussions on initiating a limited background check for licensure renewals and a full background check completed upon initial licensure. He reviewed the statute requirements and recommended that the statute language in 34-27C-4(e) be changed to distinguish between initial application background checks and renewal application background checks, and to change “shall” to “may” regarding submission of two sets of fingerprint cards, and consider changes to the sources a background check could be obtained when considering renewal applications, etc. Chairman Murphy asked the Board to submit to Mr. Warren, in advance of the next Board meeting, any recommended changes to the Board statute.

MOTION: Mr. Pugh made the motion to authorize the Board’s Legal Counsel and Executive Director to prepare proposed legislation for the Board’s approval. The motion was seconded by Ms. Davis and unanimously approved by the Board.

NEW BUSINESS

Proposed 2023 Board Meeting Calendar: Chairman Murphy presented a list of dates for calendar year 2023 for the Board to meet.

MOTION: Ms. Davis made the motion to approve the following 2023 Board meeting dates: February 9, May 11, August 10 and November 9, 2023. The motion was seconded by Mr. Pugh and unanimously approved by the Board.

Election of Board Officers: Chairman Murphy reported that the election Board Officers was due and asked Mr. Warren to conduct the elections. Mr. Warren called for nominations. Ms. Davis made the motion that the slate of Board officers remain the same, with Mr. Murphy as Board Chair and Mr. Stamps as Board Vice Chair. The motion was seconded by Mr. Pugh and unanimously approved by the Board.

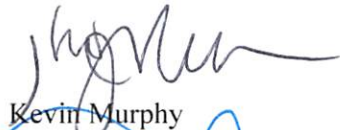
ANNOUNCEMENTS AND OTHER BUSINESS

Next Board Meeting: Chairman Murphy reminded the members that the next meeting of the Board was scheduled February 9, 2023, at 1:30 p.m. at the Board’s office.

Chairman Murphy opened the floor for comments. Public attendees were introduced.

There being no further business, Mr. Stamps 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 2:33 p.m.

Respectfully submitted,



Kevin Murphy
Board Chair



Keith E. Warren
Executive Director

/rr