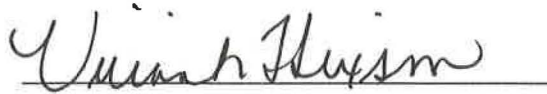


Tennessee Alarm Systems Contractors Board -10-17-19

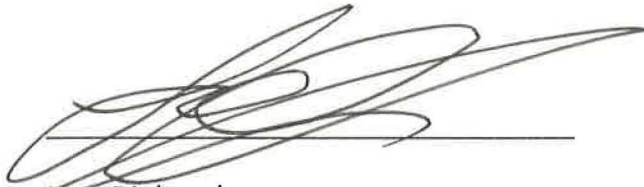
MINUTES of the Tennessee Alarm Systems Contractors Board Meeting held **June 20, 2019**, in Nashville Tennessee.



Vivian Hixson, Chair




Douglas Fraker



Lou Richard



William Scott Cockroft, Secretary



John Keith Harvey, Vice Chair

1 STATE OF TENNESSEE
2 DEPARTMENT OF COMMERCE AND INSURANCE
3 ALARM SYSTEMS CONTRACTORS BOARD
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10 ALARM SYSTEMS CONTRACTORS BOARD
11 JUNE 20, 2019
12 COMMISSION MEETING
13 TRANSCRIPT OF THE PROCEEDINGS
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22 Ad Litem Reporting
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Reported by: Denise Stacy, LCR

1 APPEARANCES:

2

Board Members:

3

Captain Vivian L. Hixson, Chair

4

John Keith Harvey, Vice Chair

William Scott Cockroft, Secretary

5

Louis (Lou) Richard, Member

Doug Fraker, Member

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7 Staff Members:

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Shauna Williams, Administrative Assistant

Cody Vest, Executive Director

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Ashley Thomas, Staff Attorney

Jesse Gentry, Assistant General Counsel

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1 THE CHAIR: Good morning, everyone.
2 We're going to call to order this June the 20th, 2019,
3 meeting of the Alarm Systems Contractors Board. We
4 welcome all our visitors today.

5 Ms. Vest, will you please call the
6 roll.

7 MS. VEST: Thank you.

8 Scott Cockroft?

9 MEMBER COCKROFT: Here.

10 MS. VEST: Doug Fraker?

11 MEMBER FRAKER: Here.

12 MS. VEST: Keith Harvey?

13 MEMBER HARVEY Here.

14 MS. VEST: Vivian Hixson?

15 THE CHAIR: Here.

16 MS. VEST: Lou Richard?

17 MEMBER RICHARD: Here.

18 MS. VEST: You have a quorum,
19 Madam Chair.

20 THE CHAIR: Thank you.

21 Have the members had an opportunity
22 to review the agenda for today's meeting, and if so, a
23 motion to adopt.

24 MEMBER FRAKER: I make a motion to
25 adopt today's agenda.

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MEMBER COCKROFT: Second.

THE CHAIR: Okay. We have a motion by Mr. Fraker, second by Mr. Cockroft, to adopt our agenda as presented. All in favor voice by saying aye.

THE BOARD: Aye.

THE CHAIR: All opposed?

(No opposition indicated.)

THE CHAIR: The agenda is adopted.

Next, have the members had an opportunity to review the minutes from the April 11th, 2019, board meeting, and if so, a motion to approve?

MEMBER HARVEY: I make a motion to accept the former agenda as presented.

THE CHAIR: This is for the minutes.

MEMBER HARVEY: I'm sorry. Minutes. I said agenda.

THE CHAIR: Okay. We have a motion by Mr. Harvey to approve the minutes from our April 11th, 2019, meeting. Do we have a second?

MEMBER RICHARD: Second.

THE CHAIR: And a second by Mr. Richard.

All in favor voice by saying "aye."

THE BOARD: Aye.

THE CHAIR: All opposed?

1 (No opposition indicated.)

2 THE CHAIR: The minutes are approved.

3 We want to welcome our new legal -- I
4 don't know what your title is. But I know your name is
5 Jesse Gentry, and we welcome you to the board.

6 MS. VEST: I can do that. I'm sorry.
7 I did probably mention him to a few of you. But we do
8 have a new general counsel with us today. We do hope
9 he will be with us for a while. Jesse Gentry. And
10 we'll go ahead and let him do his legal report.

11 MR. GENTRY: All right. So we had
12 started with 2019-02-2811. The summary is the
13 Complainant stated that she received notice of a motion
14 detector triggering an alarm in the home after
15 Complainant left. Complainant was called by Respondent
16 due to the alarm. However, Complainant missed the
17 calls because her phone was turned off.

18 Complainant's daughter then received
19 calls from the Respondent about the alarm and agreed
20 with Respondent that law enforcement should be
21 dispatched to the home. Later Complainant turned on
22 her phone and was contacted by her daughter about the
23 alarm and law enforcement's involvement.

24 Complainant called Respondent and a
25 customer service representative was unaware of the

1 alarm being triggered or law enforcement being
2 dispatched. Complainant said that law enforcement was
3 never dispatched to the home and that she feared for
4 her safety due to the Complainant -- should be
5 Respondent there -- due to Respondent allegedly never
6 calling law enforcement after it was agreed to call
7 them.

8 Respondent agreed to cancel
9 Complainant's service and contract after Complainant
10 requested for this to occur. The Complainant was
11 dissatisfied with the service of Respondent but wished
12 for this case to close after service was cancelled and
13 equipment was returned. The recommendation is to
14 close.

15 MEMBER HARVEY: Make a motion to
16 concur with counsel.

17 MEMBER COCKROFT: Second.

18 THE CHAIR: Okay. We have a motion
19 by Mr. Harvey, a second by Mr. Cockroft, to concur with
20 our counsel's recommendation to close.

21 All in favor voice by saying "aye."

22 THE BOARD: Aye.

23 THE CHAIR: All opposed?

24 (No opposition indicated.)

25 THE CHAIR: The motion carries.

1 MR. GENTRY: The next and the last
2 case that we have before us is 2019-04-0371. The
3 summary is the Complainant alleged -- or Complainant
4 alleging that Respondent had sent an email promotion to
5 Complainant advertising for CCTV services. The email
6 did not show a license number for the company or the
7 employee sending it.

8 The employee named is not licensed in
9 any ASC classification. Respondent does not hold CCTV
10 classification either.

11 Respondent stated he will apply for
12 CCTV classifications, for its QA, and will add its
13 license numbers to promotions sent.

14 Respondent stated the employee
15 sending the promotions is not registered because this
16 employee only coordinates with customers from the
17 Respondent's headquarters in Missouri to discuss and
18 contract for product services and makes arrangements
19 for the date of installation. Respondent then has a
20 licensed technician do the actual installation.

21 Respondent's discipline, the letter
22 of warning, that's referenced above, was due to its
23 failure to timely register employees. It's not clear
24 whether this employee has actual knowledge of the
25 information or advertises to customers in a manner that

1 would require you to be registered, but it would appear
2 so, due to the amount of involvement he has with the
3 customers.

4 The recommendation is to authorize
5 formal hearing and the total civil penalty of \$1,000
6 for violations of Tennessee Code Annotated Section
7 62-32-304(b), doing business without an appropriately
8 certified qualifying agent; Section 62-32-316(d),
9 advertising without certification number listed; and
10 62-32-304(k), no person shall advise anyone as to the
11 need, quantity, or quality of an alarm system and sell
12 the systems unless certified, licensed, or registered
13 under this part.

14 MEMBER COCKROFT: I would agree with
15 your statement as far as the unlicensed activity on the
16 CCTV, and most likely the employee does need to be
17 registered. Only thing I would question would be the
18 amount of the penalty. Because this is a licensed
19 alarm contractor, but they're not licensed in the
20 proper category.

21 Is this a similar penalty of what we
22 would do if they weren't licensed at all?

23 MR. GENTRY: I would think so,
24 realistically. I mean, based on this advertisement
25 that they sent having, you know, multiple flaws with

1 it. I think that, you know, they can easily rectify
2 some of these. However, when we look at the
3 recommended penalties being between \$1,000 and \$5,000
4 in terms of what we would set. I put it on the \$1,000,
5 being on the lower end, since these are things that
6 could be rectified. But it does have that range there
7 of 1,000 to 5,000.

8 MEMBER COCKROFT: I was actually
9 thinking that might be a little high. If it is a
10 licensed contractor. I'm open to other thoughts or
11 input from the rest of the Board. But I would be
12 hesitant to place the civil penalty for a licensed
13 company the same as one that is completely unlicensed.

14 Granted, they're not licensed in the
15 proper category, and they don't have an employee
16 registered. But I think typically what we would do --
17 the civil penalty for an unregistered employee would be
18 less. And then probably for the category.

19 I applaud you for looking to do some
20 sort of a penalty instead of just a warning.

21 Do we have any leeway for the amount
22 of penalty?

23 MR. GENTRY: My reading of the
24 statute was that \$1,000 was the minimum for those type
25 of violations.

1 MEMBER COCKROFT: The minimum for
2 unlicensed.

3 MS. THOMAS: And think that \$1,000 is
4 for a completely unlicensed company, like Mr. Cockroft
5 is saying. I believe that the Board does have some
6 discretion in that what you find the violations to be.
7 It doesn't sound like there's any dispute there, but
8 there is some leeway for the civil penalty amount. I
9 think it differs just a little because those prior
10 companies are unlicensed completely.

11 MEMBER COCKROFT: I would make a
12 motion to concur with the exception of changing the
13 civil penalty to \$1,000 -- I mean, from \$500 from
14 \$1,000.

15 THE CHAIR: We have a motion by
16 Mr. Cockroft to concur with counsel's recommendation in
17 the disciplinary action, but he reduced the civil
18 penalty to \$500.

19 MEMBER HARVEY: I will second for
20 discussion.

21 Aren't we saying this is a second
22 offense for this company? Or am I misunderstanding
23 you?

24 MR. GENTRY: Yes, we are. The first
25 offense was in 2016. We sent a letter of warning.

1 They had unlicensed -- or unregistered employees that
2 were -- they were doing installations.

3 MEMBER HARVEY: We're not just
4 penalizing the civil penalty for unlicensed but also
5 not having a qualifying agent and for outside the
6 categories they're licensed in.

7 MR. GENTRY: They had a qualified
8 agent, but the CCTV was not a classification that he
9 held certification in. This was something, when
10 speaking with the Respondent, they indicated that they
11 recently decided to start CCTV services. That's why
12 they had added that to the promotion. They weren't
13 sure they were going to do it yet, and they hadn't
14 gotten certification yet.

15 So they do have a qualified agent.
16 He does have certification. Just not in CCTV.

17 MEMBER FRAKER: So they decided to do
18 it, but didn't bother to follow the laws to get the QA
19 before you start doing it.

20 MR. GENTRY: Correct.

21 MEMBER HARVEY: I personally don't
22 think the penalties are out of line, myself.

23 THE CHAIR: Okay. We have a motion
24 and a second. All in favor voice by saying "aye."

25 (No favor votes indicated.)

1 THE CHAIR: All opposed?

2 MEMBER RICHARD: Aye.

3 THE CHAIR: Aye.

4 MEMBER FRAKER: Aye.

5 MEMBER HARVEY: Aye.

6 THE CHAIR: Mr. Cockroft, you going
7 to vote?

8 MEMBER COCKROFT: I didn't vote. Do
9 I have to vote?

10 THE CHAIR: You have to vote.

11 MEMBER COCKROFT: I'll vote for it
12 since I made the motion. But I'm willing to change my
13 mind.

14 THE CHAIR: Okay. The motion is
15 voted down. We need a new motion.

16 MEMBER HARVEY: I make a motion to
17 concur with the counsel's recommendation on the civil
18 penalties.

19 MEMBER FRAKER: I second the motion.

20 THE CHAIR: Okay. We have a motion
21 by Mr. Harvey, a second by Mr. Fraker, to concur with
22 our counsel's recommendation in its entirety.

23 All in favor voice by saying "aye."

24 THE BOARD: Aye.

25 THE CHAIR: All opposed?

1 (No opposition indicated.)

2 THE CHAIR: Motion carries. Thank
3 you.

4 MS. VEST: I believe that's all the
5 legal report that we had, but I wanted to --

6 MEMBER COCKROFT: You had it easy for
7 the first time.

8 MR. GENTRY: We had numerous cases
9 that the investigation did not come back yet.
10 Unfortunately, we'll have about eight, maybe nine next
11 time.

12 MS. VEST: Let it go on record I made
13 a -- when I introduced Jesse I made a mistake there. I
14 believe his title is Assistant General Counsel.

15 MR. GENTRY: That's correct.

16 MS. VEST: I gave him a big
17 promotion.

18 (Laughter)

19 THE CHAIR: Next on our agenda, are
20 we going to move to the teleconference? Or do you want
21 me to Appearances next?

22 MS. VEST: Well, we have called
23 Mr. Evans once. But we're going to try again in just a
24 couple of moments and see if we can get him.

25 We asked that he call in. And he

1 said be sure and call me. So that's what we're doing.

2 (Pause)

3 MS. VEST: I want to put on the
4 record that we were unable to reach Mr. Evans by phone.

5 If you would like we can move right
6 on to our Appearances. But let me make a statement.

7 If we have anybody who would like
8 to -- that is on the agenda to appear, would you please
9 sign in, in advance? Is everybody signed in?

10 That way you can remain seated and
11 give the Board time to review the material, and then
12 we'll just call you up to the podium.

13 I believe the first on is Jesse
14 Kosinski.

15 MEMBER HARVEY: Madam Chair, I'm
16 going to have to recuse myself from this case.

17 THE CHAIR: Let the record reflect
18 Mr. Harvey's recusing himself.

19 MS. VEST: Would you just give the
20 Board a couple of minutes. They have not seen this
21 material in advance and need to be able to read it.

22 (The Board examines documents.)

23 MS. VEST: This gentleman here, his
24 application was presented to you before. And you did
25 ask for his appearance. His court documents and his

1 written explanation are in the packet.

2 (The Board examines documents.)

3 THE CHAIR: We asked you to come
4 forward because of the recentness of the conviction and
5 probation violation.

6 When did your second probationary
7 period expire? And did you successfully complete
8 probation?

9 MR. KOSINSKI: The second one was
10 successfully completed. It was actually on terms with
11 the assistant ADA. He said if I was to pay my fines
12 off before the 11/29 was due, as soon as payment of
13 fines was completed they would drop charges and -- I'm
14 sorry, suspend those.

15 THE CHAIR: I apologize. We have to
16 have you on record. And, unfortunately, there's no
17 microphone there.

18 So we have to -- when you do start,
19 kind of start from the start again.

20 MR. KOSINSKI: Okay. Would you mind
21 repeating the question, please?

22 THE CHAIR: You were arrested and you
23 were placed on probation.

24 MR. KOSINSKI: Yes, ma'am.

25 THE CHAIR: Your probation was not

1 successfully completed, so you were given a second
2 probation.

3 MR. KOSINSKI: Correct. I was given
4 a second term of the same exact amount. 11/29 on top.
5 With the agreement that if probation fines were paid
6 before the 11/29 that they would terminate or suspend
7 the secondary term upon completion of payment of court
8 costs.

9 THE CHAIR: Make sure that red light
10 stays on, please.

11 So you successfully completed that --

12 MR. KOSINSKI: Yes.

13 THE CHAIR: When was that over?

14 MR. KOSINSKI: I do not know the date
15 off the top of my head.

16 THE CHAIR: Just approximately.

17 MR. KOSINSKI: That was over a year
18 ago. About a year or so ago now, was the second term
19 of completion. The original incident -- the original
20 arrest incident -- which was not an arrest, it was a
21 ticket. Misdemeanor constructive possession. So that
22 would have probably have been about four years ago now.

23 THE CHAIR: Questions?

24 MEMBER RICHARD: Can you give some
25 insight on the violation of probation?

1 MR. KOSINSKI: The violation of
2 probation was I failed a drug test. It was a failed
3 drug test.

4 I had my final probation meeting on
5 the eleventh month, twenty-seventh day. On the
6 twenty-eighth day they gave me a surprise meeting,
7 which I had indulged and made a horrible decision.
8 That, of course, cost me a whole -- another year of
9 probation and several thousand dollars in fines. Which
10 was, obviously, a huge mistake and a huge setback for
11 everything involved.

12 THE CHAIR: Are you still using
13 marijuana?

14 MR. KOSINSKI: No, ma'am.

15 THE CHAIR: Not at all?

16 MR. KOSINSKI: No, ma'am. Since all
17 of this has happened I've changed pretty much
18 everything. Well, obviously, the company you keep says
19 a lot about who you are. I've changed the company I
20 keep, as well as the jobs that I keep. I no longer
21 just do cabinets and construction, I'm trying to be
22 into a career, a good job that has benefits, a company
23 vehicle.

24 In order to do that you have to live
25 a healthy, clean lifestyle. You have to be able to

1 pass drug tests to have insurance and things of that
2 nature.

3 So a lot has changed since that time,
4 absolutely.

5 THE CHAIR: Sir, would you like to
6 introduce yourself?

7 MR. OWENS: I'm Chris Owens.

8 THE CHAIR: Chris Owens?

9 MR. OWENS: Yes, ma'am. O-W --
10 sorry, I'll talk slow as well.

11 O-W-E-N-S. Chris Owens.

12 We work hard on our cultural ideas.
13 We want positive, upbeat people. We don't allow any
14 fighting between different teams -- sales, service,
15 install. Jesse is a good team player. He comes to
16 work every day.

17 I believe him when he says he's not
18 using marijuana. He takes jobs we give him. I think
19 he didn't have any burglar alarm experience before we
20 hired him.

21 I'm sorry. I just wrote my dates
22 down. We hired him in February. February the 4th.
23 Since then he's doing small -- he's the only one. The
24 team likes working with him. The customers like to
25 interact. We don't have complaints. I have no

1 concern of Jesse being a good representation of our
2 industry and our company.

3 THE CHAIR: Does your company do
4 routine drug screens on its employees?

5 MR. OWENS: We do drug screens. We
6 do random drug testing. But we also have the ability
7 if I think somebody may be partaking, I can send them
8 at any time. And we've done it once or twice and had
9 the results that we expected to have from the people we
10 saw who were acting a little bit different.

11 And he did, of course, pass the
12 initial drug screen for the company.

13 THE CHAIR: More questions?

14 MEMBER COCKROFT: What have we done
15 in the past for other drug testing contingent upon
16 testing?

17 MS. THOMAS: In the past I think the
18 company may not have done random screens, as Mr. Owens
19 has indicated his company does, and they've entered
20 into an agreed order that they would submit results to
21 the Board. They would essentially be on a probationary
22 period with the Board for a renewal cycle. If at any
23 time those screens came back that showed they were
24 positive for any drugs that they were tested for, their
25 registration would be revoked at that time.

1 MEMBER COCKROFT: So how would we --
2 are you saying that we would or wouldn't do that?
3 Because they do their own random testing.

4 MS. THOMAS: I think that's the
5 Board's discretion. I think the last time that the
6 Board directed me to draft such an order the company
7 did not necessarily do random drug screens. At least
8 that's what they stated to the Board. But I think
9 Mr. Owens said that their company does and they have
10 the ability to do that at any time.

11 MEMBER FRAKER: I make the motion
12 that we approve the registration for Jesse Kosinski.

13 MR. KOSINSKI: Don't feel bad. I
14 work for him and --

15 MEMBER FRAKER: I get my name
16 butchered all the time.

17 THE CHAIR: We have a motion by
18 Mr. Fraker to approve Mr. Kosinski's --

19 MEMBER COCKROFT: Second.

20 THE CHAIR: And a second by
21 Mr. Cockroft.

22 All in favor voice by saying "aye."

23 THE BOARD: Aye.

24 THE CHAIR: All opposed?

25 (No opposition indicated.)

1 THE CHAIR: And that will be with an
2 agreed order.

3 MR. KOSINSKI: Thank you very much.

4 MS. THOMAS: Just for clarification.
5 Okay, so the motion was to just approve.

6 THE CHAIR: Do you want it to include
7 the agreed order?

8 MEMBER COCKROFT: Well, that wasn't
9 the way the motion was made. I second his motion the
10 way it was.

11 THE CHAIR: Do you want it to --

12 MEMBER FRAKER: Since the company
13 provides drug screening, if they see an issue they're
14 going to handle it.

15 THE CHAIR: Thank you. Thank you for
16 coming.

17 MS. VEST: I believe our next
18 appearance is a Travis Lambourne.

19 MR. LAMBOURNE: Yes.

20 MS. VEST: Did I pronounce that
21 correctly?

22 MR. LAMBOURNE: Yes. That's a first.

23 MS. VEST: Okay.

24 (The Board examines documents.)

25 MS. VEST: Sir, did you bring any

1 additional information or anything with you?

2 MR. LAMBOURNE: I have a copy of
3 everything I've submitted to the Board already.

4 MS. VEST: Okay. So you don't need
5 anything to look at?

6 MR. LAMBOURNE: No, ma'am.

7 MS. VEST: All right. Thank you.

8 THE CHAIR: Give us just a few
9 minutes to review your file.

10 MR. LAMBOURNE: Yes, ma'am.

11 (The Board examines documents.)

12 THE CHAIR: Any questions for this
13 gentleman?

14 MEMBER FRAKER: So am I reading
15 there's two different times? Is that right? Or is
16 there three times?

17 MR. LAMBOURNE: There's three
18 different cases. Yes, sir.

19 MEMBER FRAKER: Three different
20 cases?

21 MR. LAMBOURNE: Yes, sir.

22 MEMBER FRAKER: I got lost from one
23 into the other. Sorry. Trying to read all the legal.

24 MEMBER COCKROFT: Could you just
25 briefly tell us like maybe the dates of these three

1 incidents? And tell us briefly what happened? I've
2 got your written statements here. They don't have the
3 dates on them as far as putting all of this in order.

4 MR. LAMBOURNE: Absolutely.

5 On the beginning of each of those
6 court documents there's the closing date. However, the
7 most recent was on January 9th, 2016. So that case has
8 been brought to a close.

9 What had happened is I was driving
10 under a temporary restriction that had just expired
11 that day. I was under the impression I have a whole
12 other week.

13 But, of course, I was pulled over.
14 And the officer found a small amount of marijuana in my
15 car. And then, apparently, I was operating with my
16 firearm when I wasn't supposed to.

17 I was under the impression as long as
18 it was in a locked case and it wasn't accessible that I
19 was driving legally. But that wasn't the case. So
20 they asked me to take a firearm safety course. Which I
21 completed. And then the case was closed.

22 MEMBER COCKROFT: So they're in
23 reversal here. So, I guess, is maybe what we're
24 looking at.

25 So the most recent was that one.

1 THE CHAIR: I think that -- is that
2 the most recent? Because it says you moved back to
3 Utah in 2017.

4 MR. LAMBOURNE: Yes, I did.

5 So I had -- I grew up in Utah. But I
6 had moved to New Hampshire. And I stayed there for a
7 four-year period. Which is when, at that time, in
8 2016, on January the 9th, is when the most recent court
9 case had happened.

10 The two in the past were in 2012 in
11 Utah. And also in 2011. Both of which were closed in
12 2013.

13 (The Board examines documents.)

14 THE CHAIR: So what was the drug
15 felony? You had a felony drug charge?

16 MR. LAMBOURNE: In May of 2011 I was
17 arrested for possession and use of heroin. Since that
18 had happened, I have been clean ever since. I attended
19 a 90-day intensive rehab.

20 THE CHAIR: This says on January the
21 9th of 2016 you had a felony drug charge.

22 MR. LAMBOURNE: It was -- it was
23 marijuana in the vehicle. And that was -- I pled
24 guilty to. So I was asked to be put on a 12-month good
25 behavior probation. And then complete the firearm

1 safety course for the improper transportation of my
2 firearm.

3 MEMBER COCKROFT: And do you know
4 what made that a felony? Was it the firearm and the
5 possession?

6 MR. LAMBOURNE: I believe so. I
7 would, honestly, have to contact my prior lawyer to
8 find out exactly as to why.

9 (The Board examines documents.)

10 MEMBER HARVEY: Are you free and
11 clear of any probation or anything at this time?

12 MR. LAMBOURNE: I have no probation.

13 THE CHAIR: Are you any longer using
14 any type of illegal drugs?

15 MR. LAMBOURNE: No, ma'am. I have
16 been clean and sober for three years, five months, and
17 12 days.

18 THE CHAIR: Do you-all screen your
19 applicants?

20 MR. EDWARDS: Randomly. Yes.

21 THE CHAIR: Will you be working in
22 Utah, or will you be working in Tennessee?

23 MR. LAMBOURNE: I'll be working in
24 Tennessee. The majority of our sales reps are from
25 Utah, and we travel during the summertime. Typically,

1 from the end of April until the beginning of September.

2 And we knock on doors to sell our product.

3 (The Board examines documents.)

4 THE CHAIR: Any more questions?

5 (Pause)

6 THE CHAIR: Do we have a motion?

7 MEMBER HARVEY: This one does leave
8 us with a lot to think about. I know that typically in
9 the past with drug charges like that hanging in the not
10 to distant past we like to see a little more time to
11 have passed and your life be headed down a straight
12 road for a good long period of time. I think that's
13 what our dilemma is here.

14 MEMBER COCKROFT: Personally, it's
15 the heroin charge and felony is this -- and it is the
16 oldest charge. That's the troubling -- the most
17 troubling for me.

18 MR. LAMBOURNE: I truly -- I
19 completely understand where you're coming from. With
20 that being eight years ago. It has given me that
21 amount of time to stay away from it. And that I have.

22 I understand that there was a
23 marijuana charge in 2016. But I have been clean and
24 sober since then. And I have completely turned my life
25 around. And I'm here to work as hard as I can and

1 provide for my family. I'm getting married in
2 September. And I've made a turn for the better.

3 I've become a religious person since
4 then. And I pride myself on making good decisions.

5 MEMBER RICHARD: So 2016 there was a
6 marijuana charge and the weapon charge, and that was a
7 felony?

8 MR. LAMBOURNE: Yes, sir. But it was
9 reduced to the misdemeanor. I believe it was a Class C
10 or a Class A. I'm not sure which one.

11 MEMBER HARVEY: I'm sorry. I didn't
12 get your name?

13 MR. EDWARDS: Larry Edwards.

14 MEMBER HARVEY: Let's hear your
15 opinion of working with this man. How do you feel
16 about it?

17 MR. EDWARDS: Well, he's been with us
18 relatively a short period of time. He's been here
19 since April?

20 MR. LAMBOURNE: Mid-April. Yes, sir.

21 MR. EDWARDS: He seems like a fine,
22 young man. He's trying to turn his life around. I
23 recommend we give him another chance.

24 MEMBER HARVEY: That's all you've
25 got? You realize we're looking for something here.

1 MR. EDWARDS: I wish I could give you
2 more.

3 MEMBER FRAKER: I'm sorry. I missed
4 your name.

5 MR. EDWARDS: Larry Edwards.

6 MEMBER FRAKER: Are you in Utah?

7 MR. EDWARDS: I'm in Virginia.

8 MEMBER FRAKER: You're in Virginia.
9 Okay. So you're not actually working with him

10 hand-in-hand? You don't see him most of the time?

11 MR. EDWARDS: Not every day. I
12 provide a lot of the training, initially, for the
13 fellows. A lot of them are self-directed. It takes a
14 certain person, you know, to get out there and do this.
15 You need motivation to keep -- there's a lot of
16 rejection.

17 I think people that are
18 self-directed -- they have to have a certain amount
19 of control -- you know, self-awareness. He's been
20 demonstrating that since he's been with us in April.

21 Sorry about that.

22 Like I said, I recommend we give him
23 another chance.

24 I wish I could say more about his
25 day-to-day. But you're right. I have a lot of people

1 to keep my eye on.

2 THE CHAIR: So when you complete your
3 summer tour, your door-to-door sales, you go back to
4 Utah.

5 MR. LAMBOURNE: Yes, ma'am.

6 THE CHAIR: Will you come back again
7 in the future?

8 MR. LAMBOURNE: I'd like to.

9 THE CHAIR: I mean, is that part of
10 the company's routine? They're here, then they're
11 back?

12 MR. EDWARDS: I mean, they go to
13 different markets. It could be Tennessee. It could be
14 Virginia. It could be Florida. It really depends on
15 how they -- they have sort of a draft system. Almost
16 like the NBA. Certain ones are very motivated and
17 successful, and they get picked up by higher more
18 successful teams.

19 It really depends on his performance
20 this year as to where -- what team he would end up on,
21 ultimately, which market he would be directed to.

22 It very well could be Tennessee. If
23 that's allowed. But it could be anywhere.

24 MEMBER HARVEY: I make a motion that
25 we grant Mr. Lambourne his employee registration.

1 THE CHAIR: Motion by Mr. Harvey to
2 grant Mr. Lambourne's employee registration. Do we
3 have a second?

4 MEMBER FRAKER: Second.

5 THE CHAIR: And a second by
6 Mr. Fraker.

7 All in favor voice by saying "aye."

8 THE BOARD: Aye.

9 THE CHAIR: All opposed?

10 (No opposition indicated.)

11 THE CHAIR: Motion passes.

12 Congratulations.

13 MR. LAMBOURNE: Thank you very much.

14 THE CHAIR: Thank you for coming.

15 MS. VEST: Mr. Sanders, did you sign
16 in?

17 MR. SANDERS: Yes, ma'am.

18 MS. VEST: Just give them a few
19 minutes, sir.

20 MR. SANDERS: We have some things
21 we'd like to give them.

22 (The Board examines documents.)

23 MS. VEST: Oh, okay.

24 If you would look at his written
25 explanation. It does list each case number. It has

1 the dates. And it does list everything that he was
2 charged with. It makes it a whole lot easier to read
3 than the criminal record.

4 (The Board examines documents.)

5 MS. VEST: All right. Mr. Sanders,
6 are you ready to come up? And if you would, please
7 bring your qualifying agent with you also, with you,
8 please.

9 Sir, if you would, make sure the red
10 light is on every time you speak.

11 MR. SANDERS: Okay.

12 MS. VEST: Introduce yourself.

13 MR. SANDERS: My name is Marc
14 Sanders.

15 MS. VEST: I think they want you to
16 start the conversation.

17 (Laughter)

18 THE CHAIR: Tell us about yourself,
19 Mr. Sanders.

20 MR. SANDERS: Well, you know, I wrote
21 this letter as requested for explanations. It was a
22 very hard letter, difficult letter to write. That part
23 of my life was so far gone and behind me that re-living
24 it, you know, I guess it started when they needed to
25 see my criminal history. So I Googled myself. Didn't

1 care for that part too much.

2 But then I actually paid for a
3 background check. Been Verified. I don't know, one of
4 those companies. And then, you know, a lot of emotions
5 started flooding back in.

6 And back to this letter. When they
7 asked for an explanations, it was difficult. And that
8 an explanation and an excuse, I don't know, there's got
9 to be a line in there somewhere. And some of it I felt
10 like I was making an excuse. And, you know, there
11 truly is no excuse for my previous behavior. You know,
12 I was a horrible drug addict. I guess that's addictive
13 behavior.

14 You know, I guess there were some
15 psychological issues as a child that lead me to some of
16 those things. But I -- you know, I did what I did.
17 I'm very sorry that I did them. At the time I was
18 probably just sorry that I got caught.

19 But now, as a different man, I'm
20 just -- you know, I try to hold fast to what's one done
21 is maybe what's made them who they are today. So I try
22 to find comfort and solace in that.

23 THE CHAIR: So when was your last
24 arrest?

25 MR. SANDERS: My last arrest was

1 May 10th of 2004. Or 15 years ago. That was also my
2 last drug use.

3 THE CHAIR: It shows 25 years as a
4 habitual offender. Are you on any type of probation at
5 this time?

6 MR. SANDERS: No, ma'am. That was
7 scary. That was probably the first time I ever
8 actually had been scared. Other than the first time I
9 walked into a jail cell.

10 When they told me, habitual offender
11 and five years to 25 years, that was incredible.
12 Fortunately, I was able to just do the five. I was
13 released on parole for a two-year parole period on
14 9/22/09. And then released from parole on 9/22/2011.

15 THE CHAIR: What was the 2009? What
16 happened then?

17 MR. SANDERS: I got out of prison on
18 parole.

19 THE CHAIR: Oh, okay. And then
20 released from parole two years later.

21 MR. SANDERS: Yes. I was released --
22 I was -- that charge was the only charge that did not
23 happen in Florida. That was the most recent one in
24 2004. And so I was released on parole in Michigan, and
25 I completed my parole in Tennessee. I transferred my

1 parole to Tennessee. And did one year in Michigan and
2 one year in Tennessee.

3 THE CHAIR: And no arrest since 2004,
4 correct?

5 MR. SANDERS: No, ma'am. I have had
6 a speeding ticket, but that's it.

7 MEMBER RICHARD: Tell us about
8 yourself and your life since your parole.

9 MR. SANDERS: Well, can you clarify?

10 THE CHAIR: What have you done since
11 2004? After you got out of prison in Michigan. Bring
12 us forward to today.

13 MR. SANDERS: Well, I was really
14 happy in Michigan. I kind of found myself. After
15 getting out of prison, I had a church family that just,
16 you know, loved me and accepted me and made me value
17 myself maybe for the first time in -- ever.

18 You know, we still stay in touch
19 today. One family -- my mom calls it. Gobel
20 (phonetically), who wrote one of the letters. I guess,
21 he's not a big writer. But he's like a Godfather to
22 me. Then he has a son Paul, and his wife Nancy, and
23 they have four kids. And they call me Uncle Marc. We
24 go on golf outings once a year. And I go up and visit
25 them once or twice a year.

1 But since -- to answer the question,
2 my parents were aging. I was an only child. We
3 reconciled. Which I think was a blessing in itself.
4 Because, you know, we just didn't really have that
5 great of a relationship. You know, I was a bad kid.
6 And, you know.

7 But anyway, they forgave me, and I
8 forgave them. And so we were able to get our
9 relationship back on track.

10 So I moved to Tennessee because, you
11 know, again, they were aging and they needed me. My
12 pastor, Pastor Brian, had told me try to find a job --
13 because my jobs were always car sales, drug addict
14 hustler, dealer, whatever, anything I could do to get
15 high. I was able to slide through -- under the carpet,
16 so to speak, in car sales, because most successful car
17 salesmen have some time of addiction.

18 But so I went on to college.

19 Oh, my pastor said find a job that
20 you get to go do instead of you have to go do. As a
21 teenage I worked on a golf course. Loved it. So that
22 first year in Michigan I went to work at a country club
23 to see if I was physically able to do the work. Turns
24 out I was.

25 So I found a turf school.

1 Morrystown, Tennessee. So, you know, I lived in the
2 Kingsport area. And found out that was something that
3 was great for me. I graduated cum laud. Took extra
4 classes in soil sciences. You know, I was just really
5 pleased with that.

6 Unfortunately, afterwards the job
7 openings for that field were very limited. In fact,
8 they were zero in the Tri-Cities area. I did get
9 offered a job at Oakmont Country Club, which any golfer
10 will know that that's -- you could write your own
11 ticket. If you could work for them for five years, you
12 could pretty much be a superintendent anywhere in the
13 world.

14 But I couldn't leave my parents. I
15 didn't feel like I wanted to leave them.

16 Got offered a job at Calabasas County
17 Club in California, where the Kardashians are members
18 at. Which is kind of cool. When they told me they
19 would pay me \$28 an hour, I got really excited about
20 that until I found out it would take me three weeks'
21 pay to rent a room.

22 (Laughter)

23 MR. SANDERS: So that's where I'm at.
24 I started working for Defenders. What a great, great
25 company. You know, just as evidence by them sending

1 two representatives to be with me here today after
2 suspension, because I didn't have a license. You know,
3 I didn't have an earning opportunity. And yet the
4 regional manager saw fit to send me to Savannah for few
5 weeks so that I had the opportunity to earn.

6 You know, they've been very, very
7 good to me. When I went to Indianapolis for training,
8 and I guess I drank the Kool-Aid, so to speak, and I
9 feel that what a great opportunity to, as they say,
10 keep bad things from happening to good people.

11 And it's just an honor to work for a
12 company like that. I would really appreciate it if you
13 guys would let me continue that.

14 THE CHAIR: What do you do for the
15 company?

16 MR. SANDERS: I am an installer. I'm
17 in installation. You know. Just like, I guess most
18 companies, you know, they do what they do to get you to
19 the house. I don't have to knock on doors like that
20 poor fellow that was here before me.

21 (Laughter)

22 MR. SANDERS: So the leads are
23 already there. The people are expecting me when I get
24 there. And I'm there to install their security system.

25 And I'm also there as a security

1 advisor in the capacity to let them know, you know,
2 what ADT would feel is best to secure their home and
3 property.

4 THE CHAIR: Any more questions?

5 Do we have a motion?

6 MS. VEST: Would you mind if we heard
7 from the qualifying agent?

8 THE CHAIR: Yeah. Go ahead.

9 MR. SORRELL: Hello, John Sorrell,
10 the QA with Defenders, Inc. We were happy with the
11 interview process. He was forthcoming. We've sent him
12 out to the field, and I've heard great things. And his
13 direct manager has come as a show of support. And, you
14 know, we believe in him. If you believe in redemption,
15 he's the poster child.

16 THE CHAIR: So you have no complaints
17 or --

18 MR. SORRELL: None.

19 THE CHAIR: -- internally or
20 complaints from customers?

21 MR. SORRELL: None.

22 MEMBER FRAKER: I make the motion
23 that we grant Mr. Sanders his registered employee
24 license.

25 THE CHAIR: We have a motion by

1 Mr. Fraker. Do we have a second?

2 MEMBER RICHARD: Second.

3 THE CHAIR: And a second by

4 Mr. Richard.

5 All in favor voice by saying "aye."

6 THE BOARD: Aye.

7 THE CHAIR: All opposed?

8 (No opposition indicated.)

9 THE CHAIR: Congratulations.

10 MR. SANDERS: Thank you so much.

11 THE CHAIR: Thank you. Continued

12 good luck.

13 MS. VEST: Mr. Evans was on the

14 phone. Let me see if we can get him again.

15 Mr. Evans, are you there?

16 MR. EVANS: Yes, ma'am.

17 Okay. Mr. Evans, we're going to give

18 the Board just a couple minutes to review your file.

19 They've not seen this previously. So hang on.

20 MR. EVANS: Okay.

21 (The Board examines documents.)

22 MS. VEST: Mr. Evans, this is

23 Ms. Vest. Where are you calling in from?

24 MR. EVANS: (Inaudible).

25 MS. VEST: I'm sorry. I couldn't

1 understand that.

2 MR. EVANS: I said can you hear me?

3 MS. VEST: Yes, sir.

4 MR. EVANS: I'm actually on the last
5 leg of a journey on a 20-hour drive to the Texas
6 border.

7 MS. VEST: So right now you're in
8 Texas?

9 MR. EVANS: Yes.

10 MS. VEST: All right. Where's your
11 home state?

12 MR. EVANS: Tennessee.

13 MS. VEST: You're from Johnson City?

14 MR. EVANS: Yes.

15 MS. VEST: All right. And your
16 company is located in California?

17 MR. EVANS: Yes.

18 MS. VEST: All right. Thank you.

19 Hold on.

20 MR. EVANS: Okay.

21 (The Board examines documents.)

22 MS. VEST: Mr. Evans, are you still
23 with us?

24 MR. EVANS: Yes, ma'am.

25 MS. VEST: Okay. Sir, are you on

1 hands-free?

2 MR. EVANS: Yes.

3 MS. VEST: I just want to make sure
4 we don't start asking you questions and you're
5 driving.

6 MR. EVANS: No. No. I'm actually a
7 passenger right now. So I'm okay.

8 MS. VEST: Okay. Thank you, sir.

9 THE CHAIR: So you're applying as a
10 registered employee for which company, Mr. Evans?

11 MS. VEST: Mr. Evans? Mr. Evans?

12 I believe we lost the gentleman.

13 He's calling back.

14 (Pause)

15 MS. VEST: Mr. Evans? Hello?

16 MR. EVANS: I'm here.

17 MS. VEST: Okay. Did you hear the
18 Chair ask you a question?

19 MR. EVANS: No, I did not.

20 MS. VEST: Okay. We'll repeat it.

21 THE CHAIR: Mr. Evans, you're
22 applying for a registered employee with which company?

23 MR. EVANS: Skyline Security.

24 THE CHAIR: And what will you be
25 doing for Skyline?

1 MR. EVANS: It's on the personal --
2 residential and business security systems.

3 THE CHAIR: In Tennessee?

4 MR. EVANS: Yes.

5 THE CHAIR: Mr. Evans, when was your
6 last arrest, and what was it for?

7 MR. EVANS: It was, let's see.
8 Probably a year ago for drug paraphernalia.

9 MEMBER RICHARD: Are you currently on
10 probation?

11 MR. EVANS: Yes.

12 MS. VEST: That was board member
13 Mr. Richard has asked you that question.

14 So you're still on probation?

15 MR. EVANS: Yes, ma'am.

16 MS. VEST: For how long?

17 MR. EVANS: I believe I have a couple
18 more months of probation. After my arrest I had
19 done -- and I went to rehab and got my life back on
20 track.

21 MS. VEST: So what did you -- this is
22 Ms. Vest again. Did you say you finished rehab?

23 MR. EVANS: Yes. I went to a rehab
24 and completed it. And I've worked for Skyline ever
25 since I completed the rehab.

1 MS. VEST: Okay. The question is
2 when did you finish rehab.

3 MR. EVANS: I finished rehab in
4 December of this year -- December of last year.

5 MS. VEST: December of '18?

6 MR. EVANS: Yes.

7 THE CHAIR: Mr. Evans, this is
8 Chairman Hixson.

9 Has your probation been revoked or
10 extended for any reason?

11 MR. EVANS: No, ma'am. I'm current
12 and up to date on everything. I only lack a little bit
13 of paying off --

14 MEMBER COCKROFT: Mr. Evans, this is
15 Scott Cockroft.

16 Just looking at your record and some
17 of the recent charges, in your opinion why do you think
18 we should approve you? What do you think has changed
19 drastically?

20 MR. EVANS: The drastic change that I
21 had is I actually admitted that I had problem. And for
22 someone like me, that's very hard to do. You're going
23 and going and don't realize you need help when needed.
24 So I finally broke down and I asked for help.

25 And I did get that help. I received

1 a form of rehab. And I received it in the form I think
2 that allows me to help other people.

3 I've really enjoyed the job that I do
4 helping people feel more secure about their life and
5 how they live and not have to worry about being at home
6 or anything like that. I can help them feel better
7 about themselves.

8 Yeah. I went through rehab, and I
9 took everything they told me and I applied it. And
10 ever since then my life has been 100-percent better.

11 THE CHAIR: So, Mr. Evans, you're
12 scheduled to complete your probation somewhere around
13 August of this year?

14 MR. EVANS: Yes, ma'am.

15 THE CHAIR: And you'll have all of
16 your fines and so forth paid by that time?

17 MR. EVANS: Yes, ma'am.

18 THE CHAIR: Are you able to work at
19 this time for the company but in some other state?

20 MR. EVANS: That's what I'm doing
21 Thursday. I'm actually in Texas working for them.

22 I'll just tell you, I would really
23 love to get back home to Tennessee and be able to work
24 there.

25 MEMBER COCKROFT: Are you licensed in

1 Texas?

2 MR. EVANS: Yes.

3 MEMBER COCKROFT: How long have you
4 held the Texas licensing?

5 MR. EVANS: Actually, I think it
6 should go into effect today.

7 MS. VEST: It should go into effect
8 today. I think is what he said.

9 MR. EVANS: Yes.

10 MEMBER HARVEY: Mr. Evans, as a
11 general rule, we typicality do not grant employee
12 registration to people who are under current probation
13 periods. We usually like to see them at least get to
14 the end of that period straight and clean and clear. I
15 think that's part of the dilemma we have on the Board
16 here today.

17 I think you'd have a lot better
18 chance coming back to us at that time. Maybe have a
19 little more clearer, have something a little clearer
20 for us to look at that time. That's just my opinion.

21 MEMBER COCKROFT: And it's also --
22 this is Scott again. And it's also very recent --
23 they're very recent charges as well. That's also
24 concerning.

25 I would love to see that you have

1 turned things around. But I'd like to see more time, I
2 guess, before we're approving a license that we would
3 actually be bending the rules to allow you to do it
4 when you do have all these charges.

5 MR. EVANS: I understand.

6 THE CHAIR: Would you-all be
7 agreeable to passing this to the August meeting and see
8 if he's completed it?

9 MEMBER HARVEY: How can we do that?
10 Would he have to reapply? Or what would we need to do
11 today?

12 MS. THOMAS: I think those are two
13 different actions.

14 If the Board votes to deny this
15 application, Mr. Evans would have to reapply. But I
16 believe Chairman Hixson is suggesting that you defer
17 ruling on the application until August to see if he has
18 completed the probation and you could make a decision
19 at that time. So those are two different actions.

20 MEMBER HARVEY: I'm not opposed to
21 pushing the ruling off to then. I realize he is from
22 out of state. Maybe, I don't know, if we can get more
23 information or get him here.

24 MEMBER COCKROFT: It's my
25 understanding he's from Tennessee. He's just working

1 out of state now.

2 MS. VEST: Yes, sir. He's located in
3 Johnson City. So your next board meeting is August.
4 So, perhaps, if you wish, we could ask him to come in
5 in August if he's in Tennessee.

6 Mr. Evans, did you hear that?

7 MR. EVANS: Kind of, yes. I think I
8 heard and understood what you said.

9 MS. VEST: I think what I'm asking,
10 could you make an appearance in August to the board
11 meeting?

12 MR. EVANS: Absolutely.

13 THE CHAIR: And do you think you can
14 arrange for your supervisor, your qualifying agent to
15 accompany you?

16 MR. EVANS: Yes. Of course.

17 THE CHAIR: You can provide the name,
18 whoever that is, to the staff. But we'll plan on
19 seeing you in August.

20 MR. EVANS: Okay.

21 MEMBER HARVEY: I make a motion that
22 postpone judgment on Mr. Evans until the August board
23 meeting. And assuming that his probation has been
24 completed and he is in compliance at that point, then
25 we would make a ruling at that time and have him appear

1 before us and go over his situation.

2 THE CHAIR: We have a motion by
3 Mr. Harvey. Do we have a second?

4 MEMBER COCKROFT: Second.

5 THE CHAIR: We have a second to defer
6 this to until the August board meeting pending
7 completion of probation, et cetera.

8 All in favor voice by saying "aye."

9 THE BOARD: Aye.

10 MS. VEST: We'll take a roll call
11 vote.

12 Keith Harvey?

13 MEMBER HARVEY: Aye.

14 MS. VEST: Doug Fraker?

15 MEMBER FRAKER: Aye.

16 MS. VEST: Vivian Hixson?

17 CHAIR HIXSON: Aye.

18 MS. VEST: Lou Richard?

19 MEMBER RICHARD: Aye.

20 MS. VEST: Scott Cockroft?

21 MEMBER COCKROFT: Aye.

22 MS. VEST: The ayes have it.

23 CHAIR: Mr. Evans, what the Board has
24 decided is to not vote on your employee registration
25 today but to give you an extension to complete your

1 probation and appear before the Board in August for
2 reconsideration.

3 MR. EVANS: Okay. That sounds good
4 to me.

5 MS. VEST: All right, sir. You will
6 be getting correspondence from the office with an
7 invite to appear.

8 MR. EVANS: Okay. Thank you very
9 much.

10 MS. VEST: Thank you for calling in
11 and talking with us.

12 MR. EVANS: You guys have a good day.

13 THE CHAIR: Do we have more
14 appearances here?

15 MS. VEST: We have another appearance
16 with something entirely different. But if you wouldn't
17 mind I'd like to take a short break.

18 THE CHAIR: Okay. I don't even know
19 what time it is.

20 We're going to take a 20-minute
21 recess.

22 (Break in the proceedings.)

23 MS. VEST: We'll get ready for this
24 file here. It will be Mr. Clay Sneed. He had company
25 and a qualifying agent license. Both of these licenses

1 have expired.

2 THE CHAIR: When did they expire?

3 MS. VEST. Yes. I have record of the
4 company expired on 9/30 of '16. And qualifying agent
5 license expired 4/13 of '17.

6 Mr. Sneed attempted to renew. Was
7 not successful. Therefore, his licenses have expired
8 way past the three months. He ask to come in to talk
9 with you about this. I told him there really wasn't
10 anything I could do.

11 We need hold off for just a moment.
12 The video has a glitch. We need to work on. Just a
13 moment.

14 (Pause)

15 MS. VEST: Apparently it's froze up.

16 All right. Madam Chair, we had a
17 little glitch in our equipment, but I do believe we're
18 back online.

19 As I was saying, Mr. Sneed has asked
20 to appear. When I spoke to -- Mr. Sneed does not
21 believe that he needs to reapply or reinstated. His
22 licenses have expired.

23 He did make an attempt to pay. Came
24 into the office. But he came in downstairs. He'll
25 need to tell you what happened down there.

1 Whenever they take money, they have
2 to have somewhere to put it. Well, his license had
3 already expired, therefore, there was nowhere to place
4 the money. So the money went into an unassigned file.
5 So we do still have the -- I believe it's \$260 of his.

6 But I'll let him explain that to you.

7 Mr. Sneed, would you please. I hope
8 I said that right.

9 MR. SNEED: When I came in everybody
10 had a little name tag, so I thought I would scratch out
11 one while I was waiting.

12 (Laughter)

13 MR. SNEED: A little bit of humor.

14 MS. VEST: You'll need to speak up,
15 Mr. Sneed.

16 MR. SNEED: I forgot these things
17 have to light up. You-all told everybody that.

18 Ms. Vest gave you the abbreviated
19 summary of the situation. If I may, I'd like to go
20 back to when the State began licensing.

21 As a grandfathered company in QA --
22 there is not grandfather business. But there is
23 grandfather in the QA.

24 Back then it was more expensive to
25 renew your license than it is now. I think the price

1 went down.

2 A lot of these issues began when
3 there was a separation of the renewal times. So I had
4 my QA renew back in the '80s or '90s when the State
5 took over. And then as I found a location uptown. I
6 rented that, and then I got the business signed up.

7 So there's always been this
8 separation of dates to renew. It wasn't at the same
9 time.

10 Years ago it was a lot simpler to
11 keep up with it. As time goes on there's more
12 complications. There's more things to think about.

13 Now, we just experienced a computer
14 glitch. When I was trying to renew my QA license and
15 before it expired -- if I can look at my dates. When I
16 tried to renew that before the expiration of April 30th
17 of 2017, I sent in the CEUs. And then I tried to
18 submit payment at that time.

19 But the computer wouldn't let me.
20 Tennessee core was fairly new then. It wouldn't let me
21 do it in 2017. I think Pat was still upstairs.

22 Was he still here in '17?

23 MS. VEST: Yes.

24 MR. SNEED: Whoever I talked to. I
25 think it was him. That's usually who I went to. I was

1 going to bring it in.

2 Of course, I just live in
3 Springfield. I work at the railroad. So it's right
4 around the corner.

5 But at some point I got over here and
6 brought it in downstairs. But the day I brought it in
7 was 91 days after it expired.

8 So on August 1st I was having some
9 trouble with the cashier downstairs. Somebody from
10 upstairs came down. We talked in the lobby. She took
11 me over to the back of the lobby. The cashier. And he
12 took the payment. Reluctantly. He wanted somebody
13 from upstairs to confirm this was okay. And they said,
14 yes, he turned in his CEUs. It was just a payment
15 issue because the computer wouldn't let him do it
16 online.

17 So that was August 1st of 2017. I
18 wasn't aware, and no one told me there was an issue
19 with the business license. But I was told there were
20 computer issues why I couldn't renew. There were some
21 software issues at that time.

22 I have no reason to let my business
23 license expire. I was told I should be keeping up with
24 it. I had always gotten a letter in the mail.

25 I don't throw my letters away. But

1 the postman could have put in someplace else. The kids
2 could have thrown it away slipped in the junk mail.
3 But whatever the case, the business license lapsed.

4 Well, we didn't know that until three
5 or four months ago when I tried to renew again. And
6 this time on time. On April 21st. I sent in my CEUs
7 before I thought my QA license was going to expire.
8 April 30th. And at that point, that's when it was
9 discovered it wouldn't take the money part of it
10 because the business license expired.

11 I said, okay. Well, what we've got
12 to do? Ms. Vest said it was beyond her authority.
13 Said there's two things you can do. Reapply. Well,
14 that sounds pretty simple. But I like looking on the
15 computer and seeing that little grandfather up there.
16 I'm not going to be in business too much longer, but
17 that means something to me.

18 So she said I'd have to get
19 fingerprints. Well, I work for the railroad. I'm an
20 elected official. And I have a taxi cab business.

21 All of these things require
22 background checks and fingerprints. So that would be a
23 really redundant thing to have to do. And so the State
24 appointed the members of this board to handle
25 situations. You have the authority to make these

1 decisions where Ms. Vest said she couldn't.

2 So I'm requesting that this board see
3 the issue of mail being lost or whatever you-all want
4 to see. I don't know what you've got before you or how
5 much I need to expound on this. But I think I sent a
6 letter I pecked out on my phone. I asked Ms. Williams
7 if I could re-send so I could clean up my typos and
8 errors because the spellcheck messed up. I never got
9 around to it. So that's what you got in front of you.

10 So I'll wait for any questions and
11 then I'll close.

12 MEMBER COCKROFT: Is the business
13 license taken care of now? Is it up to date?

14 MR. SNEED: No. Everything is
15 pending what we do here today.

16 MEMBER COCKROFT: Is he talking about
17 a regular county or city business license?

18 MS. VEST: He's talking about -- I
19 believe Mr. Sneed is talking about his company license
20 that expired in '16. It has not been renewed.

21 MEMBER COCKROFT: Because I was
22 confused on it because I didn't think we were verifying
23 business licenses like those county or city licenses.

24 MS. VEST: He would have to receive
25 the renewal -- to the renewal, you know. That was for

1 the company that expired in 2016. And he told you
2 about his qualifying agent's license. That expired
3 4/20/17. He has from three months from 4/20. 5, 6, 7.
4 And if you look at the check -- this is why I said I
5 could not assist him. If you look at the check, it is
6 dated 8/1. And Mr. Sneed did come in, in person, and
7 give that check.

8 I cannot be in a position to have my
9 auditors sit down in front of me and ask me why I took
10 something that the statute said I could not take.
11 Therefore, I told him he could come before the Board
12 and ask you.

13 The problem that gentleman is going
14 to have is that he was grandfathered. If he reapplies
15 he has to take all of the exams. He has to do the
16 fingerprint cards. A fingerprint background check.
17 Excuse me, we don't do cards anymore.

18 He has to provide -- he has
19 education. We'd take it out of his file and move it on
20 over to the other file. And he would have to provide
21 us with a photo, of course.

22 MEMBER COCKROFT: These CEUs that
23 we've seen were for the period were taken during the
24 period -- you know?

25 MS. VEST: That's not in question.

1 Yes, sir. He gave us those.

2 MEMBER COCKROFT: We've got CEUs for
3 the old period, the new period --

4 MS. VEST: Yes, sir.

5 MEMBER COCKROFT: We've got payments
6 for the old period?

7 MS. VEST: See, that's what's in
8 questions. We've got the check on 8/1 for \$260.

9 MEMBER COCKROFT: Is that the right
10 amount?

11 MS. VEST: Yes, sir. That was for
12 the late fees and everything. Yes.

13 THE CHAIR: For the QA only.

14 MS. VEST: That's all I have in front
15 of me is the QA. Yes.

16 MEMBER COCKROFT: When did the
17 company license expire?

18 MS. VEST: 9/30 of '16.

19 MR. SNEED: It was 9/'16. But the
20 reason it was a different renewal time the business and
21 the QA -- like I said, they were more expensive then
22 than they are now. I was waiting to get an office set
23 up.

24 MEMBER COCKROFT: So you didn't have
25 a company at the time or --

1 MR. SNEED: Not back in the '80s or
2 '90s -- when did the State start doing this? Because
3 they used to just operate with a city business license.

4 MS. VEST: I believe it all started
5 in the early '90s. '92/'93.

6 MR. SNEED: I was operating out of my
7 basement. It wasn't real serious. As it looked like
8 with the new licensing, the new insurance requirements,
9 well, I'm going to have to get more serious with it.
10 You're either going to get in or get out.

11 So I had the QA. I knew that was
12 coming because of the grandfather thing.

13 Used to go to all the conventions.
14 Mr. Roberts, who used to be on this board, he got me
15 started in it. But so --

16 MEMBER COCKROFT: I want to help you.
17 I'm inclined to do so. So figure out where we are.

18 It looks like the CEUs were all
19 there. How did you send those in?

20 MR. SNEED: Well, sent in core. But
21 it wouldn't take a check back in '17. So I brought it
22 in. I come through here almost daily. Going to work
23 or here at the The Gulch. But probably was --

24 What was the date written on the
25 check?

1 Was it just laying in my truck
2 already written?

3 MS. VEST: 8/1/17.

4 MR. SNEED: So I wrote it that day.
5 So I brought it with me on the way to work. But it
6 just happen to be one day after the 90 days. That was
7 the only issue I was aware of about it being in
8 expiration. So I thought, well, you know, I didn't
9 know there was a problem until I tried to renew again
10 this year.

11 When I tried to do it on April 21st,
12 there again, I could send them my CEUs that I had
13 collected for the last two years. And then when I
14 called, that's when it was discovered the computer was
15 not taking a check. It was because the business
16 license had expired.

17 Now, obviously, when the State
18 started regulating this back -- what year was it again,
19 Ms. Vest?

20 MS. VEST: That would be '93.

21 MR. SNEED: '93.

22 MS. VEST: Yes, sir.

23 MR. SNEED: There wasn't an issue of
24 having a QA and not a business at the same time. Must
25 of -- something must have happened along the line

1 because I had a QA and not a business until --

2 MEMBER COCKROFT: I thought we could
3 have an inactive QA -- wasn't set up that way. But I
4 thought we could have a QA license without a company.

5 MS. VEST: We do that. The license
6 I consider to be very expensive. The QA can renew then
7 the license sits there. They have to give me a
8 statement that says they're not working.

9 THE CHAIR: How often do the company
10 licenses renew?

11 MS. VEST: Every two years.

12 THE CHAIR: So he's not renewed his
13 company for two renewal periods, correct?

14 MS. VEST: '16. It expired in '16.
15 Yes.

16 License every two years. This is
17 about the QA.

18 MEMBER FRAKER: Looking at this
19 documentation. This is about his QA. Not the company.
20 So let's don't mix the two.

21 THE CHAIR: What is the status of
22 your company, though?

23 MR. SNEED: Well, I've got an office
24 on the courthouse square.

25 THE CHAIR: So you're still operating

1 a business?

2 MR. SNEED: Well, I mean, I work for
3 the railroad. I've got taxis. I'm a union officer.

4 THE CHAIR: We're not talking about
5 that.

6 I'm talking about the alarm business.

7 MR. SNEED: Well, I don't really do a
8 lot. I don't do a lot of alarms anymore.

9 THE CHAIR: But you're still in the
10 alarm business today?

11 MR. SNEED: Well, they told me not to
12 be active in it until we got this resolved. I mean,
13 I've still got hundreds of customers that need a
14 battery changed or something. But as busy as I am
15 doing other things, this is not my primary income.

16 MEMBER FRAKER: So, to me, we're
17 looking -- let's try and start to compartmentalized
18 this thing. Because I once upon a time had a QA
19 license without a company.

20 So to me, I think we need to work on
21 fixing the QA part.

22 MS. VEST: He's here today because of
23 the qualifying agent license. He's asking you can he
24 renew -- I believe -- his qualifying agent license.

25 MR. SNEED: I did do all of those

1 things. And the reason the check was accepted on
2 August 1st, 2016, was because I had on time sent in the
3 CEUs. But I was told on the phone it was a computer
4 reason why it wouldn't take the money.

5 So when I did bring it in they said,
6 "Yes. He tried to do this earlier, but there was a
7 computer issue. We're going to take the check because
8 he couldn't do it online because of computer issues."
9 So that was really not my fault that it wouldn't take
10 the payment on time then. Now just because it was 90
11 days plus one that's just --

12 MEMBER COCKROFT: Well, then the
13 other thing there that doesn't make sense is stopping a
14 QA license from being renewed for a company license.
15 Because the QA license would have to be renewed to do
16 company license.

17 MS. VEST: We didn't do that. That's
18 not even the issue.

19 MEMBER COCKROFT: Why didn't it renew
20 then?

21 MS. VEST: What?

22 MEMBER COCKROFT: Why wouldn't it let
23 him renew it online then?

24 MS. VEST: That, I don't have any
25 idea why the computer did not let him renew online.

1 MEMBER COCKROFT: Because I can
2 testify to the online --

3 MS. VEST: I don't dispute that.

4 MEMBER COCKROFT: You had to walk
5 mine through years ago.

6 MS. VEST: I do agree.

7 MEMBER COCKROFT: It was very
8 difficult.

9 THE CHAIR: So, Mr. Sneed, your
10 statement is you attempted to make payment online to
11 renew your QA license in 2017. Was it before or after
12 April the 30th?

13 MR. SNEED: I believe it was
14 before -- it was after April 30th, but before that
15 90 days expired. So it was within that period of
16 time. I just have to add \$20 for whatever period of
17 time -- whatever length it was.

18 I think maybe I was waiting for
19 another CEU. I can't remember. I Just don't remember
20 that part. But I know it was started after April 30th.

21 So that's just a matter of paying a
22 late fee. But they were -- CEUs were put in in time.
23 You'd have to see what CEUs --

24 MS. VEST: We got the CEUs. We're
25 not disputing that. We did.

1 MR. SNEED: I know it was 90 days.
2 Way before. It was just a matter of getting over here
3 and finding a parking spot when I'm driving around the
4 corner to go to work to bring that check in. And, of
5 course, every time in the last few years when I come
6 in, you have to dump your pockets in the truck for
7 security. Used to be able to go upstairs. Now you
8 can't go upstairs.

9 MS. VEST: Yes, sir. You can't do
10 that anymore.

11 Let's just try and streamline this
12 down just a little bit.

13 I don't know what happened with the
14 computer. A lot of people renewed. A lot of people
15 had difficulty. And we assist whoever needs help.

16 His qualifying agent license expired
17 on 9/30/16. Went ahead and sent in some CEUs and
18 whatever else that he needed to do.

19 THE CHAIR: His qualifying agent
20 expired on April the 30th. His business --

21 MS. VEST: I'm sorry. I said -- I
22 stand corrected.

23 Qualifying agent is 4/30 of '17 was
24 when it expired. All right. We got the continuing
25 education in.

1 On 7/31 of '17 we received a change
2 of address.

3 MR. SNEED: What change of address?

4 MS. VEST: 7/31 of '17 we got a
5 change of address. Did you change your company or your
6 personal?

7 MR. SNEED: I just used my house.

8 MS. VEST: But you did it on the
9 computer. On Core.

10 So my question, from '17 to now what
11 are --

12 MEMBER FRAKER: We've had his
13 payment. So he thought he was good. The way I'm
14 reading all of this.

15 MS. VEST: Yeah, you can think you're
16 good. But everybody knows you've got to get a license.
17 I mean, you're members. You-all have licenses. If you
18 don't get one you contact me.

19 MEMBER COCKROFT: I've also waited a
20 long time for the process where Pat told me it was on
21 its way, and Pat later on said, oh, well, you need
22 something because it took too long.

23 And it's like, Pat, why didn't you
24 tell me that?

25 MS. VEST: I'm not saying that. I'm

1 trying not trying to make --

2 MEMBER COCKROFT: That man made an
3 effort. He should have looked for it in the mail.

4 Yes.

5 MS. VEST: I'm just telling you he's
6 past the time. I cannot legally, on my side, do it.
7 And that's why he's before you. You either approve
8 that he can get a renewal, or we're going to have to
9 tell him he has reapply.

10 Since he was grandfathered, if he has
11 to reapply he would have to take all the exams,
12 whatever classifications he's in.

13 MEMBER COCKROFT: The real deal is
14 with the qualifying agent not the company --

15 MS. VEST: That's before you today.

16 MEMBER COCKROFT: Well, I would make
17 a motion that we -- I don't know how to state this, but
18 I want --

19 MR. SNEED: Mr. Cockroft, if we can
20 today add to the agenda, make a motion to add to the
21 agenda. As an alderman -- I'm kind of overextending
22 myself. But add to the agenda to try to take of the
23 business license, too, and make them the same date
24 where --

25 THE CHAIR: We can't lump it all

1 together.

2 MEMBER COCKROFT: I don't think we
3 can really do that. I do think that you may have to
4 pay some penalties on the company license. You may
5 have to some things to reapply there.

6 I'm willing to work with you on the
7 qualifying agent. But I don't think we -- I think the
8 company, you can handle without any input from us. It
9 may require some money.

10 But there is some fault on both sides
11 because you probably should have looked for the
12 license.

13 MR. SNEED: I'm not saying I'm not
14 without fault. But when I called in 2017, when it was
15 an earlier one, which is a few months passed, I was
16 told it was a computer issue and just bring it in.

17 THE CHAIR: Bring in your company
18 license renewal or your QA renewal?

19 MR. SNEED: No, just the QA.

20 THE CHAIR: Let's put the company
21 business aside.

22 MEMBER COCKROFT: If we make his QA
23 current, then he can renew his company with fees and
24 other things. Right? You can handle that
25 administratively, renewing his company. You're not

1 going to want to, but you can.

2 MS. VEST: No. No, it's not that.

3 No, that's not really it. I'm trying to think how I
4 can do that. Because it expired in '17. I've got the
5 money. I can move it.

6 I have to think it in my mind.

7 Excuse me.

8 I've got to move the money over. Got
9 to make sure everything is okay. Get the photo. Of
10 course, I have that.

11 I pushed the button. It will be '17,
12 '18, '19. He's missed a renewal cycle. And another
13 renewal cycle.

14 THE CHAIR: Well, he's technically on
15 default on two company renewals and one QA. He tried
16 to renewal on the first QA. And now it's time for the
17 second renewal.

18 MS. VEST: But I don't think the
19 computer will do it like that. It's probably just
20 going to roll him over for the -- what is it? '17,
21 '18, '19, '20, '21 -- something of that nature. It's
22 going to roll over to the four years instead of two
23 years.

24 But that's something we can do with
25 our computer system.

1 THE CHAIR: If you could move the
2 money that's already in some --

3 MS. VEST: Yes. Unassigned. Yes.

4 THE CHAIR: -- unassigned for this
5 renewal here of --

6 MS. VEST: Yes. For the QA from '17.
7 He paid the 260 for that. I can take care of that.

8 THE CHAIR: And he still owes now for
9 his current QA renewal.

10 MS. VEST: The computer would --
11 technically the answer is yes.

12 MEMBER FRAKER: I'm going to make the
13 motion -- what you started.

14 MEMBER COCKROFT: Okay.

15 MEMBER FRAKER: That we fix his QA to
16 make it current. Using the check from 2017 that was
17 one day past his 90 to make it up to current. And then
18 he'll have whatever renewals coming up now. For his
19 QA. Nothing to do with the company.

20 MEMBER COCKROFT: Second.

21 THE CHAIR: We have a motion by
22 Mr. Fraker and a second by Mr. Cockroft to give him
23 grace over the 2017 payment that was one day late and
24 allow him to pay his current QA that's due so that he
25 doesn't lose his grandfather QA.

1 All in favor voice by saying "aye."

2 THE BOARD: Aye.

3 THE CHAIR: All opposed?

4 (No opposition indicated.)

5 THE CHAIR: You've been given that
6 grace for that.

7 MR. SNEED: Thank you, Madam Chair.

8 THE CHAIR: Now, do we need to
9 discuss the business or will that come up at a later
10 date?

11 MS. THOMAS: I believe what's before
12 the Board is just the QA license at this time. I think
13 that, to be completely fair to everyone, the staff
14 needs some time to review the company to figure out
15 what needs to be done and determine if Mr. Sneed needs
16 to make another appearance before the Board.

17 THE CHAIR: Can he legally operate
18 his alarm business right now with it in this status of
19 expired state?

20 MS. VEST: I'm going to tell the
21 Alarm Board that the license expired 9/30 of '16 and it
22 has not been renewed.

23 THE CHAIR: Technically you're
24 operating an unlicensed business.

25 MR. SNEED: That's what I was saying.

1 If there was a possibility that you could vote like a
2 two-thirds vote I think is Roberts Rules of Order to
3 add something to the agenda and then address that.

4 MS. THOMAS: It would be my opinion
5 that the Board -- I'm not sure that you-all have the
6 information you need to make a determination as to
7 whether or not to extend that beyond that two renewal
8 cycles. That's new information. We don't know the
9 circumstances as to why the company was not renewed.

10 I think the Board, and the staff,
11 needs time to be able to present you with all the
12 relevant information to make a decision on that.

13 THE CHAIR: So we won't take any
14 action on the business end of it today.

15 MS. THOMAS: That would be my advice.
16 But, of course, it is the Board's discretion on what
17 you-all decide to do.

18 MR. SNEED: I can speak to the issue
19 why it wasn't renewed. It's just a failure on my part.
20 Either not seeing a letter in the mail or -- but
21 it's -- I was told the computer system --

22 THE CHAIR: Well, you've been in
23 business -- by your own self-admission, you've been in
24 business now for 20-something years, give or take.

25 MR. SNEED: I think 30-something --

1 THE CHAIR: So that is something that
2 is not new. That's something that should have been --

3 MR. SNEED: Well, again, as is, I've
4 got several irons in the fire.

5 THE CHAIR: That's not our concern,
6 Mr. Sneed. I understand that sometimes you get too
7 many irons in the fire and you spread yourself too
8 thin.

9 MR. SNEED: My wife tells me that.

10 THE CHAIR: My concern is the fact
11 that you're operating a business, an alarm business,
12 and you're not licensed to do so.

13 MR. SNEED: Well, I'm licensed at the
14 City.

15 THE CHAIR: Do you-all agree with
16 Ashley that we take no action? Do you need a motion on
17 that or just defer it?

18 MS. THOMAS: I don't think so.

19 MR. SNEED: I still have my City and
20 County license. It's just something about the State.

21 MS. VEST: I believe, Mr. Sneed, I
22 believe what they're saying is, since you don't have a
23 license you're not in the alarm business.

24 MEMBER COCKROFT: We are supposed to
25 do what's in the public's best interest. And I don't

1 think it's in the public's best interest for him to not
2 service his customers.

3 MS. THOMAS: So if the Board is
4 decided to do that. I think the question for the Board
5 at this point is, are you going to allow him to renew
6 based on that expired license? Or are you going to
7 require him to reapply, which is what the statute would
8 say he needs to do since his license has expired in
9 2016.

10 MEMBER COCKROFT: If he would need to
11 reapply, like, you would get a new license number, you
12 would have to put new numbers on all the stationary and
13 truck.

14 MS. VEST: That would be correct.

15 MS. THOMAS: Unless there is some
16 administration function that can be done.

17 MS. VEST: I do my best to let them
18 keep their C number. Because of the cost of that.
19 They've invested so much money in and whatever.
20 Putting it on their trucks. I don't know his
21 circumstances. But that would be quite easy.

22 He would just need to reapply. Pay
23 the fee. Pull the information that we need from the
24 old file. I believe we would have to have current
25 insurance. Just a few little things that we would

1 need. But we can work with Mr. Sneed.

2 MEMBER COCKROFT: And that could
3 happen today, couldn't it? Or within a matter of days?

4 MS. THOMAS: He could submit a new
5 application as early as today. Yes. I don't think
6 that requires Board action for him to submit a new
7 application.

8 And if the staff and Cody's able to
9 transfer that license number, I don't think it affects
10 his business on a day-to-day. But I think the Board
11 would need updated information -- or the board staff --
12 in order to effectuate a renewed application.

13 MS. VEST: And I would always need
14 for the Board to say we go ahead and issue -- I mean,
15 he would make out an application. I don't really
16 foresee any reason why it wouldn't be approved.

17 But he would continue to service his
18 customers. Because then I'm going to run into
19 unlicensed activity.

20 Scott was making a point there. I
21 wanted to be sure that the Board would say that -- I
22 don't want to bring Mr. Sneed back in here for
23 unlicensed activity, and he's standing here and knows
24 what transpiring. If I'm going to try to help him by
25 letting him reapply.

1 MEMBER FRAKER: My personal
2 opinion -- I don't know if that -- so we've got the QA
3 fixed. We just need to get his license, pay the fee --
4 pay the two renewals, and go on as business as usual.

5 MEMBER COCKROFT: Can you take care
6 of all of that today, Mr. Sneed?

7 MR. SNEED: Yes, I have my checkbook
8 and my driver's license with me. Yes.

9 MS. VEST: He's reapplying. He has
10 to supply new proof of insurance. Unless it's in the
11 packet. I don't know.

12 MR. SNEED: It's current. I've got
13 my new -- I thought I sent that in to you.

14 MS. VEST: You might of had. I
15 was -- I was only concerned with the QA. I didn't look
16 that much at the company.

17 MEMBER FRAKER: Yeah. There is a
18 copy of the current policy. It doesn't expire until
19 August 27th of '19 for Springfield Alarm and Safety.

20 THE CHAIR: Make sure you renew your
21 insurance. It's coming up in two months. In case you
22 don't have a reminder.

23 MR. SNEED: That's right. I changed
24 companies a couple of years ago.

25 THE CHAIR: Have you got your address

1 and all the other required information up to date? I
2 know there was a question about the home address versus
3 the business address. Have you got all those ducks in
4 order?

5 MR. SNEED: I guess we'll just have
6 to see what she has on file. She said my that my home
7 address --

8 MS. VEST: What we would do if it's
9 okay with Mr. Sneed, I can have one of our staff take
10 him into the computer room and we can do all that
11 today, if you have the time.

12 MR. SNEED: Yes. It needs to be a
13 mailing address at home instead of uptown. Because the
14 postman uptown, he is pretty bad about -- because on
15 the square everybody gets everybody's mail on the
16 square because the postman --

17 MS. VEST: We'll talk about that, and
18 we'll see what's the best way to handle that.

19 THE CHAIR: Okay. So our business
20 with Mr. Sneed is finished for today. Correct?

21 MS. VEST: Let me just make sure I'm
22 not looking at unlicensed activity.

23 MEMBER COCKROFT: I don't think we're
24 looking at it at this point.

25 Do you have any other employees, or

1 is it you?

2 MR. SNEED: Years ago I used to. I
3 haven't had an employee in a long time.

4 MEMBER COCKROFT: Because if he
5 doesn't go anywhere or do anything before he goes
6 upstairs, then he's not doing any unlicensed activity
7 from now until --

8 MS. VEST: Okay.

9 MEMBER COCKROFT: I mean, he has
10 been. But we're not --

11 MS. VEST: I want to do whatever the
12 Board instructs me to do. And I'll help Mr. Sneed in
13 any matter we can. But he's going to do that today,
14 correct?

15 I want to say by today or at least we
16 need to finish up by tomorrow.

17 MR. SNEED: I'm not working on alarms
18 today.

19 MS. VEST: Okay.

20 You're going to do what?

21 MR. SNEED: I'm not working on alarms
22 today.

23 MS. VEST: But you're going to do
24 your application process?

25 MR. SNEED: That's right. That's

1 right.

2 THE CHAIR: All right. You've got
3 your QA license. Once you take care of everything
4 administratively -- you're going to take care of
5 everything business-wise administratively?

6 MR. SNEED: Yes. I guess I'll get my
7 address back to my house because it is pretty bad up on
8 the square, the courthouse square. Everybody gets
9 people's mail all the time.

10 That could be the reason why I didn't
11 get mine. But anyway, we'll get the mailing address
12 correct.

13 THE CHAIR: Is that where your
14 business is located?

15 MR. SNEED: It is on the square.
16 It's been there for --

17 MS. VEST: He can give me his mailing
18 address. We'll still need a physical address, which
19 will be given over here for in case we have to send an
20 investigator. But now I'm asking the administrative
21 manager Mark to operate the equipment and Megan Mosley
22 will go with Mr. Sneed to get him started on our
23 computer system.

24 If that's okay with Mr. Sneed?

25 THE CHAIR: Thank you, Mr. Sneed.

1 MR. SNEED: I appreciate the Board.

2 THE CHAIR: Okay. Administrative
3 Matters.

4 (Pause)

5 MS. VEST: Just a second.

6 It appears our next appearance is not
7 coming in.

8 All right. Are we moving down to
9 Administrative Matters now, Madam Chair?

10 THE CHAIR: Yes, ma'am.

11 MS. VEST: We've already sent out
12 these monthly reviews. I would like to take a moment.
13 You won't find that in the packet, but we did have a
14 meeting yesterday on The Hill. It was the Sunset for
15 the Contractors Board -- excuse me, Alarm Systems
16 Contractors Board.

17 Board Chair, Vice Chair, and Keith
18 Harvey, was kind enough to go with me to The Hill. It
19 was a sunset. There were questions. We answered the
20 questions.

21 And they would like to see us back in
22 December. They did not roll us over yet. They have
23 additional questions. And in December I may have to
24 ask all of the Board to attend. They did ask me about
25 the Chair. Asked me who she was -- who it was. And I

1 did explain Vivian Hixson. They wanted to know about
2 the background. We did the background.

3 Then they said, well, good, but they
4 wanted to speak to a member of the industry. That's
5 whenever Keith came up. And they asked a couple of
6 questions. But I just wanted to let you know we did do
7 that. That's not in your monthly report. It will show
8 that in the next monthly report.

9 THE CHAIR: Were their specific
10 questions why you have to go back?

11 MS. VEST: Yes.

12 THE CHAIR: Do those need to be
13 discussed?

14 MS. THOMAS: We can address those in
15 an executive session at the conclusion of the board
16 meeting. If that's okay?

17 THE CHAIR: Yes.

18 MS. VEST: We're going to move on
19 right now, if you would, to the Budget Review. You
20 have that on your packet. In you packet, I should say.

21 As of the end of March we have an
22 ending balance of \$108,248.

23 Legislative Update.

24 MS. THOMAS: Other than Cody
25 mentioning the Sunset hearing on Tuesday, we don't have

1 any other legislation to update the Board on at this
2 time.

3 MS. VEST: All right. We'll move
4 right on the request for an extension.

5 That request is from Securitas
6 Electronic Security. They asked for their first
7 extension on March -- I'm sorry, April the 23rd of '19.
8 I granted that one to replace their qualified agent.
9 They had some difficulties, so they've asked me to come
10 back to the Board, and they would like me to ask for a
11 second 90-day extension to replace their qualifying
12 agent.

13 THE CHAIR: The extension I see in
14 the letter is due to the hire of the QA candidate --

15 MS. VEST: Yes.

16 THE CHAIR: -- having a medical
17 issue?

18 MS. VEST: Yes. They didn't say
19 whether they were going to wait until maybe that
20 cleared up or they might try to find someone else.
21 They just asked for the 90-day extension.

22 MEMBER COCKROFT: It does say they
23 have identified somebody --

24 MS. VEST: The person to get in the
25 position and take the exams. Or exam. However it may

1 be. This is just in the fire alarm category.

2 MEMBER COCKROFT: Do they have a QA
3 for other categories? This is just for their fire?

4 MS. VEST: Yes, sir, they do. It's
5 just this classification.

6 MEMBER COCKROFT: I make the motion
7 to grant the second 90-day extension for their QA.

8 MEMBER HARVEY: Second.

9 THE CHAIR: We have a motion by
10 Mr. Cockroft, a second by Mr. Harvey, to grant this
11 company's second 90-day extension for QA.

12 All in favor voice by saying "aye."

13 THE BOARD: Aye.

14 THE CHAIR: All opposed?

15 (No opposition indicated.)

16 THE CHAIR: The motion carries.

17 MS. VEST: All right. We have one
18 other here. I did not classify this criminal history
19 with the other ones because they were Appearances.
20 This is not an Appearance.

21 This one would be for Eddie Hodges.
22 He would be another Exhibit A.

23 You do have his written explanation.
24 You have the charges in there. He also is listed as
25 Defenders company.

1 Did you know Mr. Hodges was on the
2 agenda today for your company?

3 MR. SORRELL: I was not aware of it.

4 MS. VEST: Well, if we have any
5 questions the qualifying agent is here.

6 MR. SORRELL: I didn't get the
7 letter.

8 MS. VEST: No. We are just reviewing
9 from the criminal record. But I'm saying if there was
10 something else we need to look at, we're fortunate to
11 have the qualifying agent of the company already with
12 us.

13 (The Board examines documents.)

14 MEMBER FRAKER: Is what you're after
15 a motion to approve his --

16 MS. VEST: As an employee
17 application. Yes, sir.

18 MEMBER FRAKER: Well, based on what I
19 see. It's all old stuff. Two items over ten years
20 ago. I make a motion that we approve his request.

21 MEMBER RICHARD: Second.

22 THE CHAIR: We have a motion by
23 Mr. Fraker, second by Mr. Richard, to approve this
24 employee registration application.

25 All in favor voice by saying "aye."

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THE BOARD: Aye.

THE CHAIR: All opposed?

(No opposition indicated.)

THE CHAIR: It's approved.

MS. VEST: That's all the Criminal Histories or Appearances that we have. We can go right down to the Education Report, if you'd like.

Apparently, we're still -- we're experiencing some glitches. So I think we're just on and off.

We're going to try to get going and rely on your paperwork.

The first thing we have. I'm going to read this. It says alarm.com is currently approved with your department for their CEUs and the company and their courses. All they want to do is change the name of some courses.

And they do have one that's coming in. This System Enhancement Module SCM-vista. They're going to submit that course separately. I just wasn't going to read off all those. But they're taking off, as you can see, the numbers behind them. 201.

I didn't have a problem with that. They're still an approved course. They're just changing the name of it.

1 MEMBER COCKROFT: Would we still give
2 it the same number so that --

3 MS. VEST: Yes.

4 MEMBER COCKROFT: -- if someone is
5 taking it they can't take it again with the new name
6 within the period?

7 MS. VEST: It's still going to keep
8 the same number that it had. But there will be a
9 notation out to the side that there has been a name
10 change.

11 And, actually, it's not that big of a
12 name change. It's just taking out the 201 from behind
13 the back of it.

14 But I wanted you to see that. And if
15 you have any questions let me know. Because I was
16 going to approve that unless the Board says different.

17 MEMBER COCKROFT: I don't see any
18 problem with that.

19 THE CHAIR: Well, is the -- it says
20 we have also added an additional course, System
21 Enhancement Module, SCM Vista.

22 MS. VEST: Yes, ma'am. That's the
23 one I said is going to come later. They have not sent
24 it to us, so you don't have it to look at. I'll send
25 it -- do it as a regular education when it comes in.

1 THE CHAIR: Okay.

2 Ashley, do we need to vote on that?

3 MS. THOMAS: No, I don't really think

4 so.

5 MEMBER COCKROFT: I had all the

6 Comcast and Stay Safe.

7 MS. VEST: Do we want to take one at

8 a time then?

9 Scott, would you like to go first?

10 MEMBER COCKROFT: Mine might be a

11 little more complicated. We might get the others out

12 of the way first.

13 MS. VEST: Well, okay. We can do

14 that. It looks like, Lou, you've got one on the AMG.

15 They wanted two hours of continuing education.

16 MEMBER RICHARD: Yes. Two hours in

17 CCTV. The course looked good. Their certificate was

18 included. So good to go.

19 MS. VEST: We'll jump over to Keith.

20 If you're ready, Keith. You had the two Bosch.

21 MEMBER HARVEY: The only change I

22 would want to make -- I think you took the one back. I

23 had two of them. The larger one here they were asking

24 for one hour of continuing ed, and it certainly is

25 qualified for that.

1 The other one they were asking for
2 all, the initial application and everything. I don't
3 think it -- it was a very short course. So I don't
4 think it would be sufficient for anything but
5 continuing ed. Maybe employee training. But it would
6 not suffice for initial application.

7 MS. VEST: All right. So we're
8 looking at this Bosch Security. FPD-7024, Professional
9 Online. They wanted four hours. You say that's okay
10 for continuing education?

11 MEMBER RICHARD: Yes.

12 THE CHAIR: You said for employee
13 training also?

14 MEMBER RICHARD: I wouldn't think
15 that four hours would be sufficient for employee
16 training.

17 MS. VEST: So I think what we're
18 saying is we're going to honor the four, for only
19 continuing education, not the employee or initial?

20 MEMBER RICHARD: Right.

21 MS. VEST: We need some more
22 additional information for those two.

23 MEMBER COCKROFT: And then who had
24 Paxton?

25 MEMBER FRAKER: I had Paxton.

1 Paxton is Page -- yeah, somewhere in
2 there. Page 168 is the start of it.

3 MS. VEST: Yes. Paxton Access,
4 Incorporated. And they wanted nine hours of initial
5 and continuing education.

6 MEMBER FRAKER: I don't see that we
7 would do initial because we don't actually have a
8 license for access control. That's not one of our
9 classifications.

10 MEMBER COCKROFT: Plus, typically,
11 the initial is a like a two-day proctor class or
12 something.

13 MEMBER FRAKER: So I have no problem
14 using it for continuing education. But eight hours,
15 not nine hours.

16 It is a pretty intense course of
17 information. You can get overloaded pretty quick.
18 I've actually been through it myself. So.

19 MS. VEST: All right. So for this
20 one here for Paxton Access, Incorporated, we're going
21 to say we're going to approve it for continuing
22 education for eight hours, and not nine hours. But
23 we're going to say no on initial. Not sufficient.

24 MEMBER FRAKER: Correct.

25 MS. VEST: All right. Thank you.

1 MEMBER COCKROFT: I'd like to look at
2 the other separate. So I'm going to make a motion that
3 we approve --

4 THE CHAIR: Let me, before you --
5 who's got Stay Safe?

6 MEMBER COCKROFT: I've got all the
7 others.

8 So I make a motion to approve, for
9 continuing ed, the hours requested for AMG, both Bosch
10 Security, and the Paxton Access. That's everything
11 other than Comcast and Stay Safe.

12 THE CHAIR: With the changes noted in
13 the record?

14 MEMBER COCKROFT: Correct.

15 THE CHAIR: Okay. We have a motion
16 by Mr. Cockroft to accept the previous courses that's
17 been discussed. And now we need a second.

18 MEMBER FRAKER: Second.

19 THE CHAIR: And a second by
20 Mr. Fraker. All in favor voice by saying "aye."

21 THE BOARD: Aye.

22 THE CHAIR: All opposed?

23 (No opposition indicated.)

24 THE CHAIR: Okay. Those courses are
25 approved with the changes.

1 MEMBER COCKROFT: Okay. Now for this
2 other part. This is actually two courses that have
3 been submitted four different ways.

4 The courses for both are the same.
5 Stay Safe and Comcast are both done by Roy -- by
6 Comcast, Roy Pollack (phonetic).

7 The courses, some of them are -- the
8 paperwork doesn't make the course name. I think it's
9 all here. It's just that there were so many submitted.

10 MEMBER RICHARD: Do I need to recuse
11 myself?

12 MS. VEST: You're not going to be
13 able to vote.

14 MEMBER RICHARD: Okay.

15 MEMBER COCKROFT: The information
16 provided for an eight-hour class is like less than one
17 sheet of paper. So I don't see that it's enough
18 information.

19 MS. VEST: Which one are we dealing
20 with? The very first Comcast? Understanding the Low
21 Voltage? Which one are we dealing with?

22 MEMBER COCKROFT: He's got it listed
23 as an online classes and then as an in-person class.
24 Then he's got it listed twice as Comcast and twice as
25 Stay Safe.

1 The issue is, it's all one class and
2 someone could theoretically take the class four times,
3 and you would have different class numbers. So I have
4 a problem approving one class for four different
5 approvals for one thing.

6 Secondly, I don't think there's
7 enough information here to approve it. For,
8 theoretically, an eight-hour class, I've got eight
9 lines. That's the information that's telling what's in
10 an eight-hour class. I just don't think there's enough
11 there.

12 MS. VEST: All right.

13 MEMBER COCKROFT: So, basically, it's
14 I think we have issues with the multiple submittals of
15 the same classes, and then there's not enough
16 information.

17 MS. VEST: Okay. He submitted them
18 for the same class but under two different names?

19 MEMBER COCKROFT: Four different
20 names. Well, he's got the same name, but he's got
21 them --

22 MS. VEST: I got those. Then Stay
23 Safe. He did the Comcast and then come right behind
24 that and said Stay Safe Enterprises. The same thing.

25 MEMBER COCKROFT: And some of the

1 paperwork it's got commingled Comcast and Stay Safe
2 between the two. Some are submitted as Comcast, and it
3 says Stay Safe in the paperwork. But, nonetheless, I
4 don't think there's enough information to approve it.

5 But I think there's an issue -- what
6 is everybody's feeling about, how do we deal with --
7 even if he wants to be able to present it online and in
8 person --

9 MS. VEST: It's still one class.

10 MEMBER COCKROFT: Right.

11 MS. VEST: It's just how he's
12 administering it.

13 MEMBER COCKROFT: And he wants to do
14 it -- he's wanting -- on some of it he requests initial
15 application. Some of it it's just continuing ed. But
16 it shouldn't be initial application. I don't think
17 it's long enough for that.

18 My -- I would make a motion to deny
19 it as presented. But I think we still need to discuss
20 on how we might guide him on what this needs to be if
21 it comes back to us.

22 MEMBER FRAKER: I know, Lou, you
23 can't vote. But can I ask him a question since he is
24 under that?

25 Stay Safe, is that another name now

1 for Comcast?

2 MEMBER RICHARD: No. Stay Safe is
3 Roy's company.

4 MEMBER COCKROFT: Stay Safe is Roy's
5 company. Okay.

6 That's the first time I've ever heard
7 this name. So that was a new one to me.

8 MS. VEST: So do we want to put these
9 on hold and ask for it to be clarified?

10 THE CHAIR: Plus I think Scott said
11 he was in agreement with eight hours --

12 MEMBER COCKROFT: If you want to
13 glance at some of those.

14 MS. THOMAS: Mr. Cockroft, I think
15 you said your question was how does the Board want to
16 address when one class is submitted for both classroom
17 hours as well as online hours --

18 THE CHAIR: And they're under two
19 different companies, too.

20 MS. THOMAS: Right. Will the Board
21 see that as two different options for licensees to
22 obtain those hours.

23 MEMBER COCKROFT: I don't think he
24 needs to go to the extent that he's gone. I would
25 think we could approve it being an online class and an

1 in-person class. So we wouldn't have to go to that
2 length.

3 He's asking -- most of it he asking
4 for continuing ed. They probably would be fine for
5 that. But we need to know -- we need more content than
6 just one line that's describing the student will know
7 "x" at the end of an hour.

8 MS. VEST: Okay. Then we just need
9 to get back to him and get some clarification.

10 MEMBER COCKROFT: Right.

11 All right. We can do that.

12 MEMBER COCKROFT: But what's everyone
13 else's thought about it being submitted four different
14 times and it had four different class numbers? And in
15 theory the person could take the same class four times.

16 MEMBER FRAKER: Of course, unless you
17 work for Comcast you're not going to get the Comcast
18 class. I would assume.

19 MEMBER COCKROFT: True. I guess you
20 could do -- I don't know if he's planning on doing an
21 online class or -- if he's setting up a Web site to do
22 that. But someone could take his in-person class and
23 his online class.

24 But somebody could work for Comcast
25 to take it for the company and then take it through his

1 system.

2 MS. VEST: Okay. I think that's
3 where we're going to leave it. We're going to have to
4 get back with him.

5 MEMBER COCKROFT: So I made a motion
6 to deny. Nobody ever second it or anything.

7 THE CHAIR: There's still a motion on
8 the table.

9 MEMBER FRAKER: So you made a motion
10 to deny. I'll second that.

11 THE CHAIR: Okay. We have a motion
12 by Mr. Cockroft, a second by Mr. Fraker, to deny the
13 Comcast and the Stay Safe courses --

14 MEMBER COCKROFT: Does he have to pay
15 fees to submit them?

16 MS. VEST: No. He gets it for free.

17 MEMBER COCKROFT: Because I'm not
18 trying to make it cost him anything.

19 MS. VEST: No, it's not costing him.

20 MEMBER COCKROFT: Whether we postpone
21 it or deny it or whatever.

22 THE CHAIR: You finished?

23 MEMBER COCKROFT: Yeah. Sorry.

24 THE CHAIR: Right in the middle of a
25 motion.

1 (Laughter)

2 THE CHAIR: We have a motion to deny
3 the Stay Safe and the Comcast courses as presented
4 pending further information. All in favor voice by
5 saying "aye."

6 THE BOARD: Aye.

7 THE CHAIR: All opposed?

8 (No opposition indicated.)

9 THE CHAIR: They're denied for now.

10 MS. VEST: You've still got more
11 there, don't you, Scott?

12 MEMBER COCKROFT: No, that's all I
13 had. They were the same classes. Two classes eight
14 times.

15 I had to print it out to figure it
16 out. Because I kept looking at them. It was like,
17 this is the same, this is the same, this is the same.
18 It's like -- so I had to lay them out all out on tables
19 to figure out what was going on.

20 MS. VEST: We did, too. We finally
21 said, I think the Board needs to look at that. You
22 know about it than we would.

23 All right. So we did the education.

24 THE CHAIR: Unfinished Business is
25 next.

1 MS. THOMAS: That's correct.

2 If you'll look at your iPads. At one
3 of our prior board meetings the Board requested that I
4 send a letter to the City of Memphis in response to
5 some recovery fees they were charging citizens.

6 I sent that letter and I wanted to
7 bring to the Board's attention, the response I got from
8 the chief legal officer for the City of Memphis.

9 (The Board examines documents.)

10 MEMBER COCKROFT: What's your opinion
11 on their response with the fact that they are charging
12 this recovery fee only to alarm users? They don't
13 charge this for domestic cases. They don't charge it
14 for any other police car role. They're only charging
15 it for false alarms.

16 So to say it's, you know, a cost
17 recovery, they're focusing it strictly on alarms.

18 MS. THOMAS: Right. I think it's a
19 clever use of a definition. I think in practice, it's
20 the fee that the Board was trying to avoid them from
21 collecting. Unfortunately, going by the letter of the
22 law, the chief legal officer is not wrong in his
23 assessment. I think there's a little difference in
24 legally what they can do and practically what they are
25 doing.

1 He's following the letter of the law,
2 but --

3 MEMBER COCKROFT: He choosing to only
4 do it for alarm users, though.

5 MS. THOMAS: Right. But,
6 unfortunately, the way -- unfortunately, in this
7 instance, our law does specifically define certain
8 things, and they have carved out something else.

9 And I know, Mr. Fraker, Cody said you
10 brought it to her attention. Public Chapter 315 that
11 was passed this session. But that is adding to our
12 laws, says notwithstanding Subdivision (e)(1), which
13 is talking about the false alarm fees.

14 Notwithstanding Subdivision (e)(1) or
15 a charter, ordinance, or resolution to the contrary, a
16 county or municipality shall not enact any legislation,
17 ordinance, or resolution requiring an alarm systems
18 contractor or alarm business to pay for, collect, or be
19 responsible for fines or fees relative to false alarms,
20 false alarm dispatches, alarm permits, or an alarm
21 renewal permits.

22 The thing about this particular
23 legislation, that goes to the alarm company. It
24 doesn't go to the City. So I think I have to do some
25 more digging and some more research to figure out what

1 the Board's options are as far as responding to this
2 letter. Or if there's anything we can do.

3 But I did want to bring the response
4 to the Board for further discussion, if need be.

5 THE CHAIR: So this new legislation,
6 I think you said Public Chapter 3 --

7 MS. THOMAS: 315.

8 THE CHAIR: 315. That effectively
9 removes anyone in the alarm system contractor's
10 business from being responsible for these recovery fee
11 collections, correct?

12 MS. THOMAS: That's correct.

13 THE CHAIR: It doesn't make these
14 recovery fees illegal as defined by the --

15 MS. THOMAS: It does not.

16 MEMBER COCKROFT: Can I address that
17 just a second?

18 THE CHAIR: Yes.

19 MEMBER COCKROFT: The main purpose of
20 that was that the City was requiring the alarm
21 contractor to do all the renewal permits and requiring
22 that they collect double money every year. But there
23 was no enforcement. There was no way for the alarm
24 company to collect the money if the customer didn't
25 want to pay it.

1 But that's what that relates to. Is
2 the City cannot make the alarm company pay fees for the
3 renewals.

4 They were charging the alarm company
5 for these -- this cost of recovery. They are charging
6 the end user. It's just that we don't feel that -- I
7 don't personally feel that their cost of recovery is
8 fair when they don't do it for any other police
9 response.

10 MS. THOMAS: Like I said, I would
11 have to look into more research, do more research to
12 try to figure out if there are any other options for
13 the Board to respond to that. Because like I said, as
14 written, we have defined alarm fee in a specific way,
15 and if that's going to hold true then we may be at a
16 dead-end on that.

17 THE CHAIR: Okay. Next?

18 MS. VEST: Okay. I believe the
19 next -- New Business.

20 Governor Lee has reached out to the
21 industry and to the associations and to us as well in
22 order to seek for applicants for any vacant positions
23 on our boards or commissions. As it stands right now,
24 the Alarm Board, of course, does not have any
25 vacancies. But we have -- hopefully, that's on your

1 packet. We have put on our Web site a direct link to
2 the application should you know someone who would like
3 to be appointed to a board or a commission.

4 We have made it easier for them.
5 They just go right out on whatever board they want to.
6 And right there it is. You just fill out your
7 application and it submits it to the proper channels to
8 make this process a whole lot smoother and easier for
9 individuals to apply.

10 And I wanted to bring that to your
11 attention. It does not affect this board, the Alarm
12 Board, but it does it affect my Private Investigation
13 and Polygraph Commission.

14 THE CHAIR: Any questions about that?

15 MS. THOMAS: I think the only other
16 piece of new business. I think it is Exhibit B on your
17 iPads. It would just be a refresher of the Sunshine
18 Law.

19 As a regulatory board Governor Lee
20 has requested that we provide this refresher course to
21 all of our boards and commissions. I did provide I
22 believe Shauna sent this Power Point out to the Board
23 prior to, and I believe you-all acknowledged. I
24 appreciate that. Thank you so much.

25 So I'm just going to go really

1 quickly through. If there's any questions as I'm going
2 through the presentation, please stop me.

3 The first thing to explain is what's
4 an open record. Because you're subject to open records
5 and open meetings pursuant to statute.

6 The short answer is an open record is
7 everything. Anything that you send, any publication,
8 papers, letters, maps, books, all of it is a public
9 record. If I receive a public records request, as your
10 attorney I look at it, I determine if there's any
11 personal identifying information, I redact that, and
12 then I have to release it.

13 That includes emails amongst the
14 Board. That's also why when Cody sends things out by
15 email, I know it's very rare because she likes for
16 everything to happen in the open, as she should, that's
17 usually why everybody is bcc. Because if everyone is
18 on there at the same time, it's essentially an open
19 meeting, and it is discoverable by people that request
20 that.

21 So, like I said, everything is an
22 open meeting. If there are two or more board members
23 discussing Board business or having a discussion that
24 could lead to Board action, that would be considered a
25 board meeting. That's part of the reason why that Cody

1 has instituted the policy if you recuse yourself remove
2 yourself from the room.

3 We're not saying that you-all cannot
4 go out to dinner. We're not saying that. If you are
5 at dinner, please do not discuss Board business.
6 Please do not discuss action that could lead to
7 Board -- that could lead to Board business. Because
8 that could be in violation of the Public Meetings Act.
9 Should that discussion take place and it is not
10 disclosed, and then again discussed in public, that
11 would nullify whatever action the Board took.

12 So we have to make sure that that
13 information is discussed in public in front of -- and
14 the way we do that, we have our court reporter, of
15 course; we have it videoed; and we provide that
16 transcript when requested.

17 The only time the Board can meet
18 outside of the Public Meetings Act is in executive
19 session. They occur when one or more members meets
20 with the attorney and the Board is under lawsuit or has
21 been threatened with suit and the members ask the
22 attorney questions related to the suit. Which kind of
23 leads to why we're going to have a discussion post this
24 meeting.

25 Like I said, the Board cannot

1 deliberate about any specific matter in executive
2 session, anything that can lead to Board action needs
3 to be discussed out in the open.

4 Again, just to reiterate, anything
5 discussed with more than one board member, that's
6 considered an open record.

7 Additionally, and I think we've done
8 this a couple of times with this board. If we find
9 that we do not have a quorum in person, we can
10 communicate via electronic methods. And I believe
11 we've done that once or twice on this board since I've
12 been the program attorney. At that point everything
13 needs to be a roll call vote. This board is really
14 strong in adhering to all of that.

15 Then I guess the only other thing
16 that I want to bring to the Board's attention regarding
17 notice of our meetings, which Cody does post on the Web
18 site prior to the meeting dates. And I know she posts
19 the meeting dates a year in advance. We have to
20 determine that there's adequate public notice of all of
21 our meetings.

22 There's a three-prong test. The
23 contents of the notice was reasonably described and the
24 purpose of the meeting or propose action to be taken.
25 A lot of times that's at the very top of our agenda.

1 It tells when it's posted and what the purpose of it's
2 for.

3 Must be posted at a time sufficient
4 in advance of the actual meeting in order to give
5 citizens both an opportunity to became aware of and to
6 attend the meeting. And we do have people that attend
7 our meetings.

8 And, finally, the notice must be
9 posted in a location where a member of the community
10 could become aware of such notice.

11 Again, like I say, we do post that on
12 our Web site. I believe it is posted outside the door
13 today as well.

14 And just to reiterate, like I said,
15 if anything is done outside of the Sunshine Law or the
16 Open Records or Open Meeting Act, any action taken by
17 the Board outside of that would be null and void. So
18 you take an action and people could begin to respond to
19 that action, and then we found out it was in violation
20 of the open meetings act, it nullifies anything that
21 they've done.

22 Like I said, if you have any
23 questions, please reach out to me. You see my email.
24 And at the end of this Power Point, that is the legal
25 direct line. Which you also have direct line to Cody,

1 and she has an easy access to me also.

2 But if you have any questions I can
3 answer those now.

4 (Pause)

5 THE CHAIR: Excellent job. Thank
6 you.

7 Any more New Business? Unfinished
8 Business?

9 MS. VEST: That's all I have, Madam
10 Chair.

11 THE CHAIR: Alarm Systems Contractors
12 Board is adjourned.

13 (End of the proceedings.)

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REPORTER'S CERTIFICATE

STATE OF TENNESSEE)
COUNTY OF SUMNER)

I, Denise Stacy, licensed court reporter
in the state of Tennessee,

DO HEREBY CERTIFY that the foregoing
transcript of the proceedings was taken on the date
and place set forth in the caption thereof; that the
proceedings were reported by me in machine shorthand;
and the foregoing proceedings constitute a true and
correct transcript of said proceedings to the best of
my skills and ability.

I FURTHER CERTIFY that I am not related
to any of the parties named herein, nor their counsel,
and have no interest, financial or otherwise, in the
outcome of these proceedings.

Signed the 20th day of August, 2019.

Denise Stacy, LCR #308
Licensed Court Reporter
State of Tennessee

My License Expires: June 30, 2020.