



Alabama Electronic Security Board of Licensure  
Board Meeting  
Tuesday, August 7, 2018, 9:30 a.m.  
AIDT Training Center  
15 Technology Court  
Montgomery, Alabama

John Orr, Chairman, called the meeting to order at approximately 9:40 a.m. at the AIDT Training Center, Montgomery, Alabama, as posted on the Secretary of State's website. Mr. Orr asked Lynne Taunton, AESBL Executive Director, to call the roll. Members present: John Orr, Sheriff Cunningham, Kristi Jennings, Joe Marsh, and Seanne' Warrior. Scott Hunter was not in attendance.

**I. Quorum:**

A quorum was present. Bettie Carmack, Assistant AG and Board's Legal Counsel certified the quorum.

**II. Minutes of May 8, 2018, Board Meeting:**

Mrs. Taunton asked members to review the minutes for the May 8, 2018, Board Meeting. Motion to approve the minutes was made by Seanne' Warrior. Second by Mr. Orr. An individual vote was taken: Mr. Orr voted to approve, Sheriff Cunningham voted to approve. Mrs. Jennings voted to approve. Mr. Marsh voted to approve. Ms. Warrior voted to approve. Motion carried.

**III. Discussion of Relevant Concerns:**

Deborah Speigner, AESBL Compliance Auditor, addressed the issue of the licensing turnaround rate that was raised at the May 7, 2018 board meeting. Mrs. Speigner stated that inquiry into the list of individuals given showed that each one was missing information from their application, which had been requested. She emphasized that applications are processed quickly when complete and that ALEA reports are usually returned within one to two weeks.

**IV. Consumer Education Campaign:**

Brian Key with Copperwing Design LLC presented an overview of the results of the consumer education campaign, which is coming to completion for the 2018 fiscal year. Janet Robinson, Associate Director, provided a ledger of payments made to Copperwing for services rendered in the third quarter of Fiscal Year 2018, which reflected that the campaign was coming in under budget.

**V. Permitting of Licensing of Companies for 2017/2018 and 2018/2019:**

Mr. Orr called for a motion on the seventy-three (73) companies that have been licensed from April 1, 2018, to June 30, 2018.

For 2018—Of the 73 companies, ten (10) were licensed for 2017/2018. A motion to approve these licenses of the ten (10) companies was made by Mr. Marsh. Second by Mr. Orr. All others were in favor. None opposed. Motion carried.

For 2018/2019—Mr. Orr called for a motion on the sixty-three (63) companies that have been licensed for 2018/2019. A motion to approve the licenses of the 63 companies was made by Mr. Marsh. Second by Mr. Orr. All others were in favor. None opposed. Motion carried.

**Permitting of Licensing of Individuals for 2017/2018 and 2018/2019:**

Mr. Orr called for a motion on the five hundred thirty-eight (538) individuals who were licensed with background checks from April 1, 2018, to June 30, 2018.

For 2018—Of the 538 individuals, one hundred eighty-five (185) were licensed for 2017/2018. A motion to approve the licenses of the 185 individuals was made by Mr. Marsh. Second by Mr. Orr. All others were in favor. None opposed. Motion carried.

For 2018/2019—Mr. Orr called for a motion on the three hundred fifty-three (353) individuals licensed with background checks for 2018-2019. A motion to approve the licenses of the 353 individuals was made by Mr. Marsh. Second by Mr. Orr. All others were in favor. None opposed. Motion carried.

**VI. Fines for 2018/2019 Late or Non-renewal:**

Mr. Orr called for a motion on the twenty (20) companies that had not been renewed for 2018/2019 as of June 30, 2018. A motion to approve a fine of \$500 for these 20 companies was made by Mr. Marsh. Second by Sheriff Cunningham. All others were in favor. None opposed. Motion carried.

Mr. Orr called for a motion on the nineteen (19) companies that had not been renewed for 2018/2019 as of July 31, 2018. A motion to approve an additional fine of \$500 for these 19 companies was made by Mr. Marsh. Second by Sheriff Cunningham. All others were in favor. None opposed. Motion carried.

**VII. Approval of Contracts for FY2019:**

**A. Administrative Law Judge**—Mr. Orr called for a motion regarding the contract renewal for Dana Billingsley of Wilkerson & Bryan, P.C. A motion to approve the contract for Fiscal Year 2019 through Fiscal Year 2020 was made by Mr. Marsh. Second by Mrs. Jennings. All others were in favor. None opposed. Motion carried.

**B. AESBL Investigator**—Mr. Orr called for a motion regarding the contract for Chris Murray of E.A.P.I., LLC, for investigative services. A motion to approve the contract for Fiscal Year 2019 through Fiscal Year 2020 was made by Mr. Marsh. Second by Mrs. Jennings. All others were in favor. None opposed. Motion carried.

**C. AESBL Inspectors**—Ms. Robinson informed the board that one current inspector, Jerry Chapin, has retired and, as a result, a Request for Proposal (RFP) for each potential inspector would now need to be advertised on the state comptroller's website. Per the State Purchasing Department, going forward, they may not be considered a sole source provider, and therefore, an RFP is needed. A motion was made by Mr. Marsh to form an RFP Committee to draft the scope of the RFP, authorize the initiation of the RFP, select the inspectors from the submissions received by the board, and approve the contracts drafted. Further, the members of this committee would include Mr. Marsh and Mr. Hunter. Mr. Orr may attend via video conferencing. Second by Mrs. Jennings. All others were in favor. None opposed. Motion carried.

**VIII. Rules Committee:**

Ms. Carmack informed the board that the Rules Committee had met on two occasions and had a preliminary draft of the Rule changes. Mrs. Jennings discussed the comprehensive changes to Section 304-X-1-.02, Licensing Procedures. Ms. Robinson discussed the possibility of changing deadlines for fines for late and non-renewals. The board agreed that another committee meeting would be needed to finalize all changes.

**IX. Executive Session:**

A motion was made by Mr. Marsh to enter Executive Session to discuss the good name and character of licensed companies and to discuss with the Board's attorney the legal ramifications of controversies not yet being litigated but may likely be litigated if a certain course of action is taken. Second by Mr. Orr. A roll call vote was taken: Mr. Marsh voted to approve, Mr. Orr voted to approve, Sheriff Cunningham voted to approve. Mrs. Jennings voted to approve, and Ms. Warrior voted to approve. Assistant Attorney General Bettie Carmack declared at 10:35 a.m. that the Board was in Executive Session until approximately 12:00 p.m.

A motion was made by Mr. Marsh to return to General Session. Second by Mrs. Jennings. A roll call vote was taken: Mr. Marsh voted to approve, Mr. Orr voted to approve, Sheriff Cunningham voted to approve, Mrs. Jennings voted to approve, and Ms. Warrior voted to approve. Assistant Attorney General Bettie Carmack declared that the Board was back in General Session at 12:48 p.m.

**Note:** Ms. Warrior left the meeting at 12:52 p.m.

Regarding item **IX.A.**, a motion was made by Mr. Marsh to approve the application of M.W. with Alder Holdings LLC. Second by Mr. Orr. All were in favor. None opposed. Motion carried.

Regarding item **IX.B.**, a motion was made by Mr. Marsh to uphold the denial of licensing for M.R. of Fluent Home LLC until the end of 2018 when the company would renew for 2019/2020. M.R. must reapply at that time and must provide proof of completion of the program in order to be licensed. Second by Mr. Orr. All were in favor. None opposed. Motion carried.

Regarding item **IX.C.**, a motion was made by Mr. Marsh to accept the consent decree from Safe Haven Security Services, Inc. Second by Sheriff Cunningham. All were in favor. None opposed. Motion carried.

Regarding item **IX.D.**, a motion was made by Mr. Marsh to approve the consent decree from Optom, Inc. Second by Mr. Orr. All were in favor. None opposed. Motion carried.

Regarding item **IX.E.**, a motion was made by Mr. Orr to approve the consent decree from Fluent Home, LLC. Second by Sheriff Cunningham. All were in favor. None opposed. Motion carried.

**X. AESBL Budget for Fiscal Year 2018:**

Ms. Robinson presented a report reflecting deposits and payments made in the third quarter of FY2018.

**XI. Other Business:**

**A. Renewal of Administrative Services Contract:**

A motion was made by Mr. Marsh to renew the Administrative Services contract between RT Management, Inc., and the AESBL for Fiscal Year 2019. Second by Mrs. Jennings. All were in favor. None opposed. Motion carried.

**B. Election of Vice Chairman:**

With the passage of SB265 during the 2018 legislative session, the board may now select a Vice Chairman. A motion was made by Mrs. Jennings to nominate Sheriff Cunningham as the Vice Chair. Second by Mr. Orr. All were in favor. None opposed. Sheriff Cunningham abstained. Motion carried.

**C. ESA Level 1 Certification Changes:**

After review, Mrs. Jennings stated that the changes brought the course up-to-date. The board was accepting of the changes.

**D. ESA Request for approval for Web-based Proctoring:**

A motion was made by Mr. Marsh to table this discussion until the November board meeting. Second by Sheriff Cunningham. All were in favor. None opposed. Motion carried.

It was brought to the board's attention that Elite CEU, Inc., has information on their website that their online proctored exam for Level 1 is approved by the AESBL. A motion to authorize Ms. Carmack to write a letter to Elite CEU, Inc., informing the company that online proctoring, as stated on its website, has not been approved by the board for them or any other training provider, was made by Mr. Marsh. Second by Sheriff Cunningham. All were in favor. None opposed. Motion carried.

**E. Insurance Policy for Board Members:**

Mrs. Taunton provided the board members a certificate of general liability through the State of Alabama Division of Risk Management as proof of insurance coverage requested.

**F. Filing with the Ethics Commission:**

Ms. Robinson reminded board members to file with the Ethics Commission if they had not already done so. She also stated that it needed to be completed by April 30<sup>th</sup> of every year, and that she would provide information at every February board meeting as a reminder.

**G. Board Member Training:**

Ms. Robinson informed the board that the State of Alabama Department of Examiners of Public Accounts had resumed board member training. Training will

be provided every quarter, and members were encouraged to participate in a session.

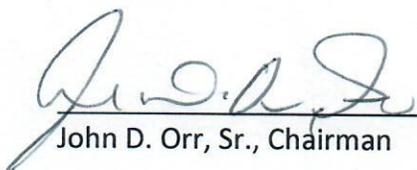
**Next Scheduled Board Meeting:**

Tuesday, November 13, 2018.

**Adjourn:**

Motion to adjourn was made by Mr. Marsh. Second by Sheriff Cunningham. Mr. Orr voted to approve, Sheriff Cunningham voted to approve, Kristi Jennings voted to approve, Mr. Marsh voted to approve, and Ms. Warrior voted to approve. Motion carried. The Board adjourned at 1:23 p.m.

Approved by the Board on November 13, 2018.

  
John D. Orr, Sr., Chairman

  
Lynne Taunton, Executive Director