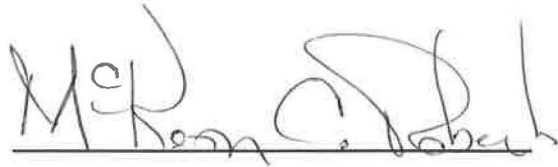


Tennessee Alarm Systems Contractors Board 10/19/17

MINUTES of the Tennessee Alarm Systems Contractors Board Meeting, held
August 17, 2017, in Nashville Tennessee.



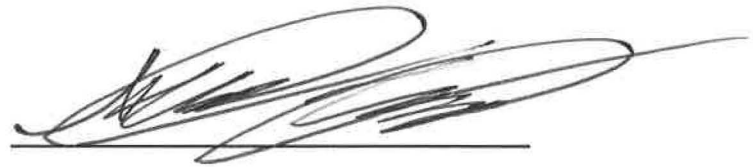
Vivian Hixson, Chair



McKenzie C. Roberts, Vice Chair



Karen D. Jones, Secretary



William Scott Cockroft



John Keith Harvey

TENNESSEE ALARM SYSTEM CONTRACTORS

CONDENSED
TRANSCRIPT

BOARD MEETING

August 17, 2017



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TENNESSEE ALARM SYSTEM CONTRACTORS BOARD MEETING

August 17, 2017

500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE

TRANSCRIPT OF BOARD MEETING
Commencing at 9:14 a.m.

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* * *

PROCEEDINGS

(WHEREUPON, with a quorum of the
Tennessee Alarm System Contractors Board, the
following proceedings were had:)

MR. ROBERTS: All right. Welcome to the
-- our Alarm Systems Contractors Board meeting. We
will call our meeting to order.

Cody, if you would like to have a roll call
for the record, please.

MS. VEST: Thank you.
Scott Cockroft.

MR. COCKROFT: Here.

MS. VEST: Keith Harvey.

MR. HARVEY: Here.

MS. VEST: Karen Jones.

MS. JONES: Here.

MS. VEST: McKenzie Roberts.

MR. ROBERTS: Here.

MS. VEST: Let the record show that
Vivian Hixon is not here, but you do have a quorum.

MR. ROBERTS: Good. Thank you.
First item on our order of business would be
the agenda. I believe the agenda was set out in

A P P E A R A N C E S

ALARM SYSTEM CONTRACTORS BOARD MEMBERS

Ken Roberts, Vice Chair

Karen Jones

Scott Cockroft

Keith Harvey

ALSO PRESENT:

Cody Vest, Executive Director

Shauna Balaszi, Administrative Assistant

Ashley Thomas, Staff Attorney

Lindsey Shepard, Staff Attorney

Matthew Reddish, Staff Attorney

advance. There should be a copy of it on your iPads.
We would at this point entertain a motion to approve
our agenda for the day.

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

MR. COCKROFT: Second.

MR. ROBERTS: We have a motion and a
second. If -- is there any discussion?
(No verbal response was heard.)

MR. ROBERTS: All in favor, if you'll
signify by saying "aye".

THE BOARD: Aye.

MR. ROBERTS: The motion then passes.
Thank you.

Our next item of business would be the
minutes from our previous board meeting. Again, they
were sent out in advance, made widely available.
Were there any corrections or comments on the
minutes, or are you ready to approve those as they
were presented?

MS. JONES: I make a motion to approve
them as they were presented.

MR. ROBERTS: We have a motion. Do we
have a second?

MR. COCKROFT: Second.

1 MR. HARVEY: Second.
 2 MR. ROBERTS: Okay. We have a second on
 3 the motion then. Is there any discussion?
 4 (No verbal response was heard.)
 5 MR. ROBERTS: All in favor, if you'll
 6 signify by saying "aye".
 7 THE BOARD: Aye.
 8 MR. ROBERTS: And that motion then
 9 passes. That was unanimously.
 10 All right. Next item on our business would
 11 be our legal report.
 12 MR. REDDISH: Good morning. My name is
 13 Matthew Reddish. I'm the new disciplinary counsel
 14 for this board, taking over for Shelena
 15 (phonetically). This will actually be my only
 16 meeting, though, because I'll be leaving the
 17 Department on the 25th of August. So this will be
 18 the only time that we get to meet.
 19 But most of these cases on the legal report
 20 are mine. So if you're ready, I'm happy to start.
 21 MR. ROBERTS: Yes, I think so. And let
 22 me get to the legal report on my pad here.
 23 All right. If you'll proceed then.
 24 MR. REDDISH: And this -- obviously this
 25 is my first time before you, so just let me know if

1 THE BOARD: Aye.
 2 MR. ROBERTS: Any opposed?
 3 (No verbal response was heard.)
 4 MR. ROBERTS: Motion then passes
 5 unanimously. Thank you.
 6 MR. REDDISH: Case number two, case
 7 number 2017-038111. Summary is as follows:
 8 Complainant alleges Respondent violated their
 9 contract when Respondent failed to refund prorated
 10 annual fees upon Complainant going out of business.
 11 Respondent searched the contract; does not require
 12 this refund but is willing to refund the money
 13 anyway.
 14 Complainant in their rebuttal states that
 15 while contract does not require this refund, it was
 16 promised to him orally.
 17 This is ultimately a contractual billing
 18 dispute. Legal's recommendation is to close.
 19 MR. HARVEY: Is close what we normally do
 20 there?
 21 MR. ROBERTS: I'm not sure that I
 22 understand. I'm still trying to find the notes here.
 23 MS. VEST: You need some assistance
 24 there, Mr. Chair?
 25 MR. ROBERTS: Thank you. Yeah.

1 I'm not doing something the way that you generally
 2 like it done.
 3 Case number one, 2017-030351. The summary on
 4 this case is as follows. Complainant alleges
 5 Respondent engaged in deceptive acts when they misled
 6 her as to the fees they would have to pay in the
 7 event of cancellation for complainant moving
 8 residences. Respondent states all fees are agreed to
 9 in the contract; however this time, Respondent will
 10 agree to allow Complainant to cancel the contract
 11 without penalty.
 12 Legal spoke with the Complainant, who stated
 13 they do not wish to pursue this claim further at this
 14 time and that Respondent has not attempted to collect
 15 any additional funds from her.
 16 Recommendation is to close.
 17 MR. HARVEY: I make a motion to concur
 18 with Counsel.
 19 MR. COCKROFT: Second.
 20 MR. ROBERTS: We have a motion to concur
 21 with the recommendation of Counsel and there is a
 22 second. Is there any discussion?
 23 (No verbal response was heard.)
 24 MR. ROBERTS: All right. All in favor of
 25 the motion, if you'll signify by saying "aye."

1 MS. VEST: There you go.
 2 MR. ROBERTS: I'm not sure that I
 3 understood your recommendation. Did I understand you
 4 to say that the Respondent was offering to make a
 5 refund even though there was not a contractual
 6 obligation they had?
 7 MR. REDDISH: That's correct.
 8 MR. ROBERTS: All right. Thank you for
 9 that clarification.
 10 MR. REDDISH: You're welcome.
 11 MR. ROBERTS: Do we have a motion?
 12 MR. HARVEY: I make a motion to concur
 13 with Counsel's recommendation.
 14 MR. ROBERTS: All right. Second?
 15 MR. COCKROFT: Second.
 16 MR. ROBERTS: We have a motion and a
 17 second. Any discussion?
 18 (No verbal response was heard.)
 19 MR. ROBERTS: All in favor, if you'll
 20 signify by saying "aye."
 21 THE BOARD: Aye.
 22 MR. ROBERTS: Motion then passes
 23 unanimously. Thank you.
 24 MR. REDDISH: All right. Entry number
 25 three -- and I've misstated some things on this. I

1 reviewed it again this morning. So I need to make
2 some corrections. The case number is 2017-040171.
3 The summary on this case: The complaint was that
4 there was a van driving around town that did not have
5 a license number on the van. And when I originally
6 read the complaint and rebuttal, I thought it was an
7 unlicensed activity complaint, not a violation of not
8 having a license number on the van. And from all the
9 photos attached, it does not appear that there was a
10 proper license number on this van.

11 And then the remaining part of my summary
12 will be as follows: Complainant took a picture of a
13 van with a sign that stated "SDI" and then the slogan
14 below, security/technology, but could not find a
15 license number to match the company named SDI
16 Security. A complaint for an unlicensed activity was
17 filed.

18 In its response, Respondent SDI Presence
19 stated they recently acquired SDI Solutions and
20 believed they could continue to operate under SDI
21 Solutions' license. Respondent states that if they
22 engaged in any unlicensed activity, it was
23 inadvertent.

24 Subsequent to complaint being opened,
25 Respondent went through all the proper steps to

1 it being my first time.

2 MS. THOMAS: If I can -- excuse me, if I
3 can address the Board. Typically in the failure to
4 have a license number on a van, we typically do a
5 letter of warning, just by way of discussion.

6 MR. ROBERTS: So do we have a motion?

7 MR. HARVEY: Yeah, I would -- I don't
8 know. It couldn't hurt a thing. Let's go ahead and
9 make a motion to issue a letter of warning to let
10 them know that there should be a license number on
11 the van.

12 MS. JONES: I second.

13 MR. ROBERTS: We have a motion and a
14 second then to issue a letter of warning. Is there
15 any further discussion?

16 (No verbal response was heard.)

17 MR. ROBERTS: All right. If none, if --
18 all in favor, if you'll signify by saying "aye."

19 THE BOARD: Aye.

20 MR. ROBERTS: That, I believe, passed
21 unanimously. Thank you very much.

22 MR. REDDISH: Entry number four, there
23 are two cases on entry number four. First case is
24 2017-042851; second case, 2017-042891. Summary is as
25 follows: Complainant alleges Respondent 2 was

1 obtain licensure for SDI Presence and is now fully
2 licensed. A review of the license history of SDI
3 Solutions shows their license expired July 31st,
4 2017, and the SDI Presence license was approved July
5 31st, 2017, so it appears there was not any
6 unlicensed period. It appears the Complainant read
7 the slogan as part of the company name, leading to
8 some of the confusion.

9 So my original recommendation was to close.
10 But considering there was a violation for not having
11 a license number on the van, I'd appreciate some
12 discussion as to what penalties normally apply in
13 that situation.

14 MR. HARVEY: Just a quick clarification.
15 The van that did not have the license number, was
16 that part of the van -- part of the company that was
17 being bought or the company that was doing the
18 buying?

19 MR. REDDISH: The company that was
20 purchased.

21 MR. HARVEY: Okay.

22 MR. REDDISH: I'm not sure if there's a
23 consideration that maybe they're given a window of
24 time when they need to come into compliance or not.
25 I'm not really sure how this is usually penalized, by

1 attempting to sell alarm systems for Respondent 1
2 without obtaining proper registration. A review of
3 the complaint shows the attempted sale occurred June
4 30th, 2017. Respondent 2 submitted paperwork to the
5 Board, signed July 26th, 2017. According to the --
6 according to Respondents, the paperwork provided --
7 Respondent 2 began employment on May 22nd, 2017.
8 From the information provided taken into account
9 employees right to work for 30 days prior to
10 submitting an application, it appears that Respondent
11 2 worked approximately 34 days without proper
12 registration.

13 Recommendation against Respondent 1, which is
14 the alarm system company, is authorization of a civil
15 penalty in the amount of \$100 to be settled by a
16 consent order or formal hearing. Recommendation
17 against the individual employee is to close.

18 MR. HARVEY: We're just talking about
19 registered employees? We're not talking about QAs or
20 anything of that nature at this point, right?

21 MR. REDDISH: That's correct. This is a
22 duty to register an employee.

23 MR. ROBERTS: Respondent number 2 was an
24 employee of Respondent number 1, is that my
25 understanding?

1 MR. REDDISH: That is correct.
 2 MR. ROBERTS: And Respondent number 1,
 3 you are recommending a civil penalty based on not
 4 having submitted the employee application of
 5 Respondent number 2 within the 30-day timeframe?
 6 MR. REDDISH: That's correct. It's my
 7 understanding the general penalty for that is a
 8 hundred dollars per month. The employee was
 9 nonregistered, from speaking with Ashley and Cody and
 10 others.
 11 MR. HARVEY: Although they were in
 12 compliance in 34 days?
 13 MS. JONES: In four days.
 14 MR. REDDISH: It took him --
 15 MS. JONES: He was just four days late.
 16 MR. REDDISH: Took him 64 days to come
 17 into compliance. So there's a -- that's why there's
 18 -- as stated there's a 34-day window where they
 19 should have been registered, but they were not.
 20 MS. JONES: Okay.
 21 MR. HARVEY: And the Respondents in this,
 22 did they offer any explanation for why they have not
 23 submitted the registered employee in a reasonable
 24 timeframe?
 25 MR. REDDISH: Not particularly. They

1 didn't give a particularly detailed response as to
 2 why. When I contacted them, they gave me all the
 3 information I requested, as far as start dates. I
 4 think perhaps they just didn't know they were
 5 violating, is kind of the feeling I got from their
 6 response.
 7 MR. HARVEY: I'd make a motion to concur
 8 with the recommendation of Counsel in the amount of
 9 civil contempt a hundred dollars.
 10 MR. COCKROFT: Second.
 11 MR. ROBERTS: We have a motion then and a
 12 second. Any further discussion?
 13 (No verbal response was heard.)
 14 MR. ROBERTS: All in favor, if you'll
 15 signify by saying "aye."
 16 THE BOARD: Aye.
 17 MR. ROBERTS: I believe that passes then
 18 unanimously. Thank you.
 19 MS. SHEPHERD: All right. And then I
 20 have the next case. Lindsey Shepherd.
 21 I will actually still be staying with you as
 22 Disciplinary Counsel, so.
 23 MR. ROBERTS: Congratulations.
 24 MS. SHEPHERD: It's a big honor.
 25 Case number five is 2017-025101. This case

1 arises out of a consumer taking pictures of a car
 2 displaying a sign with the licensee's company name.
 3 The sign included a telephone number. The sign did
 4 not display the licensee's license number. The
 5 licensee claimed they have no affiliation with the
 6 car photographed by the Complainant. The licensee
 7 also claimed it called the phone number displayed on
 8 the car's sign, explained the law, and requested that
 9 the owner remove the sign. The owner agreed. The
 10 complaint against the licensee was closed.
 11 Upon the Board's request, this complaint was
 12 opened to determine the owner of the car and the type
 13 of business in which he or she is engaged. The
 14 investigation revealed that the car belongs to the
 15 licensee's former employee. The phone number on the
 16 sign is the former employee's personal number. The
 17 licensee's QA claims that the former employee made
 18 the sign without the company's permission. The
 19 former employee then threatened the QA with a
 20 lawsuit. The QA then terminated the car owner's
 21 employment.
 22 My recommendation is to close.
 23 MR. ROBERTS: Let me make sure I
 24 understand. The -- if I understand correctly, there
 25 was an employee who had a company sign with their

1 personal phone number on it.
 2 MS. SHEPHERD: And so we -- I originally
 3 presented a case against the licensee at the last
 4 Board meeting. Yeah, so it was -- it was a similar
 5 name. So it -- without -- without destroying
 6 anonymity, an example is, like, Security Works
 7 Company versus, like, Security Workings. So it was
 8 similar but not quite exact.
 9 MR. ROBERTS: Okay. So this was a -- was
 10 this -- was that an employee at the time or a former
 11 employee at the time? Or do we know?
 12 MS. SHEPHERD: He was an employee at the
 13 time --
 14 MR. ROBERTS: Employee at the time.
 15 MS. SHEPHERD: -- the sign was
 16 discovered, yes.
 17 MR. ROBERTS: Okay.
 18 MR. COCKROFT: So we think the sign is
 19 not in use any longer?
 20 MS. SHEPHERD: Right.
 21 MR. COCKROFT: I think our concern -- or
 22 my concern, when this came before us, was if that
 23 person was still trying to engage in the alarm
 24 business, aside from the license company. I don't
 25 think we wanted any action against the license

1 company. We just wanted to know if that individual
2 that was driving the car around, were they still
3 trying to engage in the alarm business. So it sounds
4 like they're not.

5 MS. SHEPHERD: Well, they -- I mean, they
6 were hired by a different alarm company. But that --
7 I mean, they're a registered employee of a different
8 company, and that sign is no longer in use.

9 MR. ROBERTS: Okay.

10 MR. HARVEY: I make a motion to concur
11 with Counsel's recommendation.

12 MR. ROBERTS: We have a motion to concur.
13 Do we have a second?

14 MR. COCKROFT: Second.

15 MR. ROBERTS: We have a motion and a
16 second. Any further discussion?

17 (No verbal response was heard.)

18 MR. ROBERTS: If not, all in favor, if
19 you'll signify by saying "aye."

20 THE BOARD: Aye.

21 MR. ROBERTS: I believe that motion
22 passes unanimously then. Thank you.

23 MS. SHEPHERD: And we have a couple
24 re-presents. Case number six is -- we have two cases
25 there. It's 2014-024291 and 2014-009181. This

1 complaint was referred to the Board by the Attorney
2 General's office. The Metropolitan Nashville Police
3 Department was contacted by an employee of the
4 Respondent who claimed to be a, quote, whistleblower.
5 He said he was moved by the Respondent to Nashville
6 to learn a takeover technique whereby representatives
7 make contact with customers with existing security
8 contracts and tell them that they are to upgrade
9 their system and, in actuality, change the system
10 over to the Respondent.

11 The Board investigators spent a great deal of
12 time trying to locate the whistleblower employee, but
13 they were unable to do so. The only violation that
14 the investigation could definitely substantiate was
15 that the Respondent had conducted alarm-sales
16 activity before they had properly registered and
17 licensed.

18 Previous recommendation was to authorize
19 formal and specific consent order with a civil
20 penalty in the amount of \$2,000 for engaging in the
21 business of an alarm systems contractor without the
22 proper certification, in violation of 62-32-304(a).

23 Updated information is that the Respondent
24 provided information showing the company had been
25 licensed and provided documentary proof of the date

1 of the employment of the individual and the date of
2 licensure.

3 New recommendation is to close.

4 MR. COCKROFT: So why did we originally
5 think that they weren't licensed? Was there some
6 confusion on name, or did we not know the name?

7 MS. VEST: That's what the bottom part
8 said about the Board opening again. Two very similar
9 companies. One, for instance, was an LLC; the other
10 one was an Inc. We opened up a complaint against
11 one. We did find a second complaint when we closed
12 the first one. Opened it up against the second one.
13 And it was an error on our part. Both companies are
14 actually licensed.

15 MR. COCKROFT: So the recommendation now
16 is to close?

17 MS. SHEPHERD: Correct.

18 MR. ROBERTS: I would guess that's part
19 of the reluctance we have here, is that the alleged
20 activity by the so-called whistleblower is -- would
21 seem to be especially repugnant within the alarm
22 industry, where someone is sent out to fraudulently
23 take over a competitor's alarm system.

24 Again, I don't want to speak for the entire
25 Board, but that certainly is a feeling that I would

1 hold. That is just a completely reprehensible
2 behavior pattern. And even though it was not -- we
3 were not able to find evidence to substantiate that,
4 that is certainly a business model that we see more
5 of than we would really like. And the fact we -- our
6 guidelines for the way in which companies are to
7 operate their business address that in particular.

8 But sounds like with the lack of evidence,
9 unable to find the employee that came forward with
10 that behavior pattern, and in light of the other
11 situations, I guess that's where we stand at this
12 point.

13 All right. Board, do we have a motion?

14 MR. HARVEY: I make a motion to concur
15 with Counsel's recommendation.

16 MR. ROBERTS: Okay. We have a motion.
17 Do we have a second?

18 MR. COCKROFT: Second.

19 MR. ROBERTS: A motion and a second. Any
20 further discussion?

21 MR. COCKROFT: I would just say that I
22 agree with you fully about the activity that was
23 alleged. It's just that what we have here is about
24 an unlicensed company, which obviously is not the
25 case now. I mean, we know that's not the case. I

1 wish we did have more information about the other.
2 But I don't see where we can move forward without a
3 consumer complaint or something else.

4 MR. ROBERTS: Okay. Any further
5 discussion?

6 (No verbal response was heard.)

7 MR. ROBERTS: If not, are you ready to
8 vote? All in favor, signify by saying "aye."

9 THE BOARD: Aye.

10 MR. ROBERTS: I believe that motion then
11 passes unanimously. Thank you.

12 MS. SHEPHERD: Case number seven,
13 2016-021671. Background, this case was presented at
14 the June 26th Board meeting. A complaint was
15 administratively opened after -- against Respondent
16 for failing to notify the Board of the transfer or
17 termination of its designated qualifying agent within
18 ten days. Respondent did not respond to the
19 complaint.

20 Previous decision was a \$350 civil penalty
21 for violation of TCA 62-32-04(c), failure to notify
22 the Board within ten days of termination of the DQA's
23 employment; and Rule 0090-01-.0714, failure to
24 respond in writing to the Board's request within 20
25 days.

1 New information is that Respondent has been
2 out of business for approximately a year, since
3 September 16th, 2016. Respondent's license is now
4 expired.

5 My recommendation is now to close.

6 MR. ROBERTS: Thank you.

7 Board, do you have questions, comments?

8 (No verbal response was heard.)

9 MR. ROBERTS: Do we have a motion?

10 MR. HARVEY: Probably about all we can do
11 in this situation.

12 Yeah, I make a motion to concur with
13 Counsel's recommendation.

14 MR. ROBERTS: Okay. We have a motion.
15 Do we have a second?

16 MR. COCKROFT: Second.

17 MR. ROBERTS: We have a motion and a
18 second. All in favor, if you'll signify by saying
19 "aye."

20 THE BOARD: Aye.

21 MR. ROBERTS: I believe that passes
22 unanimously then. Thank you.

23 MS. SHEPHERD: And that concludes the
24 legal report.

25 MR. ROBERTS: Thank you for your legal

1 report.

2 MS. THOMAS: I do have an addendum --
3 while we're on the legal report -- to a case that was
4 submitted earlier this year, case number 2016-060001.
5 I did give you-all a paper copy of that.

6 This anonymous complaint was presented to the
7 Board at an earlier meeting, alleging unlicensed
8 activity by Respondent. Respondent company
9 represented itself as a specialist in video
10 surveillance. Respondent states that the equipment
11 sold is used by a client for detecting and signalling
12 an event. In the included letter, the Respondent
13 indicated that the customer would own both the
14 cameras and access to the videos produced from
15 Respondent's equipment. The proposal included with
16 the complaint does detail itemization for labor,
17 which includes installation, wiring, and
18 configuration.

19 Respondent was found to be in violation of
20 Tennessee Code Annotated 62-32-304(a), for engaging
21 in the business of an alarm systems contractor
22 without first being certified. The Board issues a
23 civil penalty in accordance with Tennessee Code
24 Annotated 62-32-320(b), being \$1,000 and a six-month
25 period of ineligibility from applying for

1 certification.

2 For new information subsequent to this
3 decision, Respondent has been in negotiation with
4 legal to settle the complaint. Respondent has
5 requested that the Board authorize a waiver of the
6 six-month period of ineligibility to allow the
7 company to obtain certification and continue in its
8 operation.

9 And so my revised recommendation is to
10 authorize the formal and send the consent order with
11 the civil penalty in the amount of \$1,000 for
12 violation of Tennessee Code Annotated 62-32-304(a)
13 and that the Board will waive the six-month
14 ineligibility period to allow Respondent to apply for
15 certification.

16 MR. ROBERTS: Thank you, Ashley.

17 Let me add to that just a bit. And I
18 cannot -- I will have to recuse myself from any
19 voting on this. We had an informal meeting with this
20 company yesterday. They pointed out that they have
21 currently a number of customers that are depending
22 upon them for their service, and that is the reason
23 for the request for the -- that we waive the
24 six-month ineligibility for -- to be able to continue
25 in business.

1 So with that, are there any questions? Or
 2 are you ready for a motion?
 3 MR. COCKROFT: Well, our goal is always
 4 to get people into compliance. And we have waived
 5 this in the past. What's the -- where does the six
 6 months come from? Is that in the --
 7 MS. THOMAS: Uh-huh.
 8 MR. COCKROFT: Is that a rule or in the
 9 law? Is it a statute or --
 10 MS. THOMAS: It's part of the statute.
 11 MR. COCKROFT: Part of the statute.
 12 MS. THOMAS: Uh-huh.
 13 MR. COCKROFT: Because it does seem like
 14 it's against the good of the public to not let them
 15 go ahead and get licensed at this point.
 16 MS. JONES: So it's not that they just
 17 didn't have just a CCTV license, they didn't have an
 18 alarm contractor's license at all?
 19 MS. THOMAS: That's correct.
 20 MR. COCKROFT: But they also weren't
 21 doing anything other than CCTV?
 22 MS. THOMAS: As far as --
 23 MR. COCKROFT: We know.
 24 MS. THOMAS: -- I can tell from the
 25 complaint file.

1 MR. COCKROFT: I make a motion to agree
 2 with the recommendations from Counsel to waive the
 3 six-month waiting period.
 4 MR. ROBERTS: All right. We have a
 5 motion. Do we have a second?
 6 MR. HARVEY: I second.
 7 MR. ROBERTS: Okay. We have a motion and
 8 a second. Any further discussion?
 9 (No verbal response was heard.)
 10 MR. ROBERTS: If not, I assume you're
 11 ready to vote. All in favor, if you'll signify by
 12 saying "aye."
 13 THE BOARD: Aye.
 14 MR. ROBERTS: I believe that passes
 15 unanimously then. Thank you.
 16 All right. Does that deal with all of our
 17 legal actions?
 18 MS. VEST: Yes, sir.
 19 I'd like to, if it's at all possible, take
 20 about a five-minute break.
 21 MR. ROBERTS: Take a brief break? All
 22 right. Well, why don't we make that a ten-minute
 23 break. We will come back at -- make it quarter of --
 24 quarter of the hour then. Thank you.
 25 (Short recess.)

1 MR. ROBERTS: All right. The Board will
 2 come to order. If we are now ready on our agenda to
 3 deal with appearances.
 4 Cody, would you like to be in charge of that,
 5 please, ma'am?
 6 MS. VEST: Yes, sir. Thank you very
 7 much.
 8 If you'd turn to your iPads, we're going to
 9 discuss Mr. Roy. And Mr. Roy is with us this
 10 morning.
 11 If you would, sir, please come up and sign
 12 in.
 13 MR. HARVEY: Which one is that?
 14 MR. ROBERTS: Mr. Marcus Roy.
 15 MR. HARVEY: A or B?
 16 MS. VEST: He should be A. Isn't it A?
 17 MS. THOMAS: Uh-huh.
 18 MS. VEST: Now, Mr. Roy, they have not
 19 seen any of this information yet. So if you would
 20 give the Board members a few minutes to be able to
 21 read over the material.
 22 MR. ROY: Okay.
 23 MR. ROBERTS: Mr. Roy, if you would --
 24 well, it looks like you're signing in. I wanted to
 25 make sure that you were doing that. Good.

1 MS. VEST: Mr. Roy is here for you to
 2 review his application -- employee registration
 3 application. He is with Sentry Fire Protection.
 4 Apparently there was a misunderstanding and his
 5 qualifying agent did not come with him this morning.
 6 But if it's all right, we'll go ahead and talk to
 7 Mr. Roy since he's here.
 8 MR. ROBERTS: I think we're still going
 9 through the documents that have been presented here.
 10 MS. VEST: Well, let me help you a little
 11 bit, because it was somewhat quite confusing to me as
 12 well.
 13 What we have is a 3 -- a March of '87
 14 assault, which was probation violation. And also in
 15 '87 he was guilty of burglary. Forgery was
 16 dismissed. Bad check was dismissed. Concealed
 17 weapon was found guilty. In '87 -- now, this is just
 18 off the information that I received. Mr. Roy, of
 19 course, will explain it.
 20 In April of '87, it was a larceny, guilty.
 21 Burglary was nullified. There was also some probation
 22 violation. '89 was forgery. It said ten checks,
 23 received three years. Also in '89 it was breaking
 24 and entering. That was dismissed. Then at the --
 25 November of '89, it was theft, for two years, but he

1 was sentenced for eight months.
2 In '95 it was burglary, violation of
3 probation, three years for daytime housebreaking. Of
4 course, these are all old, and that's the reason
5 we're discussing them.

6 1999 was theft under \$30 -- \$300. That was
7 three years. In 2000 burglary in the first-degree,
8 it says three years. So I do believe some of this
9 has probably -- has been combined together. And in
10 '05 it was trespassing and arrest and a burglary.
11 Got probation for a year.

12 Now, you will see other charges on there, but
13 you need to ignore those. Those are either, you
14 know, dismissed or nullied.

15 MR. ROBERTS: All right. Board, have you
16 had an opportunity to review the documents?

17 (No verbal response was heard.)

18 MR. ROBERTS: All right. Mr. Roy, let's
19 -- since we have a rather extensive record here,
20 let's give you an opportunity to make a statement and
21 then perhaps the Board members would have some
22 questions for you. If you would like to make a
23 comment?

24 MR. ROY: Well, I made some mistakes in
25 the past. I haven't made them since 2005. And I've

1 been doing fire alarms since -- well, basically, I've
2 been doing special hazards since 2005. Clean agent
3 systems. Really just got into fire alarm about six
4 years ago.

5 I just -- I made some mistakes, and I cleaned
6 it up. I am happily married, got six kids, one on
7 the way. Homeowner. My wife's a family law
8 attorney. I got a son in the Navy, one graduating
9 college this year. So it's been good. God's been
10 good. So all the past is the past and the future's
11 been good.

12 MR. COCKROFT: This license allows you to
13 also install burglar alarms. There's a lot of the
14 concern with some of the older charges -- and even
15 the 2005. I mean, that's -- I guess it's still
16 pretty old, but it doesn't -- if that's -- if we were
17 just looking at the '87, '89 stuff, that's a long
18 time ago. But we do have -- I've got concerns, I
19 guess, that it still continued on past that.

20 I mean, what's -- what -- I guess, what's
21 different today than what happened in some of those
22 other years?

23 MR. ROY: I'm more mature. There was a
24 point in my life where I just -- I guess I just -- I
25 really didn't care very much. And I had children at

1 that time, and I think that's what kind of woke me
2 up. I didn't want my kids to take the same road I
3 took. So I figured I had to set an example for them,
4 so. I just decided to change, and that's what I did.

5 It's worked out well. My three oldest kids,
6 I raised them from their teenager years 'til they
7 graduated in -- in Georgia. I was born and raised in
8 Baltimore. Tough city, you know. And I'm not using
9 that as an excuse. Everything bad I did was my
10 decision. It wasn't because of the way I was raised.
11 I had a great mom. I just -- I just was -- I thought
12 I was having fun, but apparently I wasn't, so.

13 I mean, I made some mistakes. But the past
14 12 years, my record speaks for itself. Again, I have
15 a great job, make a lot of money, more than I ever
16 thought I would make. And I don't know, it's been
17 good. The past 12 years have been good, so. You
18 know, whatever happens today is God's will, so I'm
19 good with it.

20 MR. COCKROFT: So how long have you been
21 doing -- you said fire alarms. And I guess y'all do
22 some of it in Georgia as well or something?

23 MR. ROY: Well, we pretty much work all
24 over. Our company has several offices in several
25 states, including Texas. I work with special

1 hazards. I put in clean agent systems. Are y'all
2 maybe familiar with FM-200?

3 MR. COCKROFT: Huh-uh.

4 MR. ROY: And a few other type systems.
5 Fire alarm is something I started doing, I guess,
6 about five, six years ago just to add more
7 qualifications to my resumé. I'm a project
8 superintendent now, so I don't do as much hands-on.
9 But a lot of times with a difficult system,
10 especially when you're dealing with gas systems, I
11 have to do hands-on. Because I have the license to
12 do it, and my guys are qualified. But they don't
13 have the license, so. You have to have a special
14 license to do FM-200. And that's what I have. And
15 I'm probably best at it. I mean, talking about just
16 in the State of Georgia.

17 But I'm really good at what I do. Really
18 good at what I do, so. And it's paid dividends. You
19 know, it's paid dividends. It's given me a good
20 life.

21 MR. COCKROFT: Do y'all have any other
22 questions?

23 MR. ROBERTS: Basically you've been doing
24 fire suppression, then --

25 MR. ROY: Yes, sir.

1 MR. ROBERTS: -- up until recently?
 2 And now, of course, Sentry does fire
 3 protection, as well as moving into the alarm systems
 4 and installing fire alarm systems. And so if I were
 5 to understand correctly, that -- you want to be able
 6 to expand your ability to work with the alarm
 7 systems, as well as the suppression systems you've
 8 been doing thus far?
 9 MR. ROY: Yes, sir, absolutely.
 10 MR. ROBERTS: Is that a correct
 11 understanding?
 12 MR. ROY: Yes, sir.
 13 MR. ROBERTS: Okay.
 14 MR. ROY: And I have -- it's interesting
 15 because I do a lot of work for a lot of secured
 16 places like Delta and places like that. And I'm -- I
 17 mean, I went through the same process that I'm going
 18 through now to get there. And I'm able to get in
 19 anywhere, in any secured location in Delta. I have a
 20 badge that will get me pretty much anywhere at
 21 Department of Justice and places like that. I've
 22 been allowed to work after having the same type of
 23 meeting I'm having now.
 24 I know my past is going to always be one of
 25 those things when I'm trying to -- when the company

1 MR. ROBERTS: And I hope that you'll
 2 continue on the path that you present to us at this
 3 point.
 4 MR. ROY: Absolutely.
 5 MR. ROBERTS: Great.
 6 MR. ROY: Thank you.
 7 MR. ROBERTS: Congratulations.
 8 MR. ROY: All right.
 9 MS. VEST: Mr. Roy, you'll be hearing
 10 from us later.
 11 MR. ROY: Thank you very much. I
 12 appreciate it.
 13 MS. VEST: Thank you.
 14 Okay. All right. I think the next one on my
 15 appearance is Mr. Nichols.
 16 Mr. Nichols, would you come in and -- come up
 17 and sign up?
 18 This case is somewhat different. You do have
 19 -- I believe this is on your iPad. You will notice
 20 that you have two correspondence -- pieces of
 21 correspondence from the FBI. Mr. Nichols' company
 22 and himself as the qualifying agent have renewed.
 23 You will see in your packet that there are registered
 24 employees; some of them have been renewed and some of
 25 them have not. And that's why he's here today. They

1 is trying to get me into a place like this, that I'll
 2 have to have this type of meeting. And I'm okay with
 3 that.
 4 MR. ROBERTS: We don't have the
 5 opportunity to go back and change our past.
 6 MR. ROY: I know.
 7 MR. ROBERTS: All right. Board, do you
 8 have further questions? Where do you feel like we
 9 should go with this then?
 10 MR. HARVEY: I make a motion for approval
 11 for employee registration.
 12 MR. COCKROFT: Second.
 13 MR. ROBERTS: All right. We have a
 14 motion and a second. Is there any further
 15 discussion?
 16 (No verbal response was heard.)
 17 MR. ROBERTS: Are you ready to vote? All
 18 in favor, signify by saying "aye."
 19 THE BOARD: Aye.
 20 MR. ROBERTS: I believe that passes
 21 unanimously then. Thank you very much.
 22 Mr. Roy --
 23 MR. ROY: Appreciate it.
 24 MR. ROBERTS: -- best of luck to you.
 25 MR. ROY: Thank you.

1 -- the registered employees expired in March. They
 2 only have three months, which is April, May, and
 3 June, to renew.
 4 And he is actually asking us, under the
 5 circumstances which he's going to explain, to go back
 6 and reopen up those registered employees. By
 7 statute, you're the only ones that's going to be able
 8 to let me override the three months of late fees and
 9 give me permission to go back and open up the
 10 applications.
 11 So if you would, Mr. Nichols, you need to
 12 explain the circumstances.
 13 MR. NICHOLS: Good morning.
 14 Where to start? When we received our renewal
 15 paperwork in the mail for our registered employees
 16 earlier in the year, it was my understanding that
 17 everything was filled out completely and sent in. I
 18 know shortly thereafter we were receiving a lot of
 19 letters from the Board -- or the Alarm Contractors
 20 Board, requiring additional "thises and thats." It
 21 was passed along to an individual in my office that
 22 was my bookkeeper, human resources person that took
 23 care of all of my licensing renewals and so forth.
 24 My understanding was that everything had been
 25 submitted, taken care of. Shortly thereafter I was

1 made aware of some situations. The situation was
 2 this employee that had worked for me for
 3 two-and-a-half years had been embezzling money from
 4 the company. I let this employee go on May the 2nd.
 5 Again, prior to May the 2nd my understanding was, not
 6 only had all the paperwork been submitted but any
 7 requests from the Alarm Contractors Board that may
 8 have been needed -- additional pictures, whatever --
 9 had all been sent in.

10 About a week after me letting this person go
 11 on May the 2nd, I had two people show up at my home
 12 and -- anyway, my -- to my surprise, it was two FBI
 13 agents. They came to my house, wanted to speak to me
 14 privately about the employee that I let go. They, at
 15 that time, did not know I had let her go. They
 16 thought she was still in my employment.

17 They had been investigating her for about
 18 nine months, and they were coming to me asking for
 19 help. They wanted to do an undercover thing while
 20 she was still working for me. But during our
 21 three-hour conversation, you know, I let her -- let
 22 them know that I'd already let her go; that I'd found
 23 out that she was embezzling from me. Well, they'd
 24 known about it for about nine months.

25 There's also other things and other people

1 that she was conning and embezzling from and
 2 extortion and all kinds of other things. She has
 3 destroyed someone else's life. But, of course, the
 4 FBI can't give me all these details. They just said,
 5 look, she's a bad person. She's a manipulator.
 6 She's doing all these bad things. You've already let
 7 her go. We understand. Would you help us? Most
 8 definitely.

9 So from that point forward, the FBI was in my
 10 office three days a week. They were going through
 11 computer files. I mean, her computer and our server.
 12 Come to find out, she was impersonating a federal
 13 agent. They found all kinds of paperwork on her
 14 computer where she manipulated documents showing that
 15 she worked for the FBI as a forensic accountant and
 16 other things.

17 My understanding is, she was using this
 18 information to somehow or another blackmail people
 19 into getting money. She was using my company funds,
 20 gas cards to -- during her two-and-a-half years, she
 21 had had cancer twice, her son had had a heart
 22 surgery, all these things had taken place. Well, no,
 23 it was just an opportunity for her to leave the
 24 company in little time bits to go and do her
 25 extortion around the southeast part of the country.

1 From what I understand, some of it was taking
 2 place in Georgia and other places. And she was
 3 traveling during these times where she was getting
 4 chemotherapy and things.

5 So anyway, a lot of time I devoted to assist
 6 the FBI with recordkeeping; when she was in our
 7 office working; when she wasn't; computers; you know,
 8 reports on different things; records -- phone
 9 records. You name it.

10 So there was all this extensive stuff going
 11 on, as well as meeting with the bank to document the
 12 \$313,000 she had stolen from the company over the
 13 past two-and-a-half years. So needless to say, I
 14 just -- my time was very short. I didn't have much
 15 time with all this going on.

16 Several weeks ago I found out that several of
 17 my employees, their registered licenses, never came
 18 back. They were expired. I didn't understand. I
 19 thought everything had been taken care of; they'd all
 20 come back.

21 So I reached out to Beth Bell, trying to say:
 22 Beth, what's going on? You know, why aren't these --
 23 you know, and I got the e-mail back. She was on
 24 medical leave. Finally got through and come to find
 25 out, I guess, a number of my employees, due to some

1 things that maybe were asked, never got sent back
 2 like I thought they did.

3 So, I mean, at that point in time, it's -- my
 4 only point was, what do I need to do to get these
 5 registered employees registered properly.

6 Yes, it would be nice if some fees were
 7 waived. I'm not even arguing that point. You know,
 8 I'll pay the fees. I just need to make sure that
 9 everything is done correctly; that all my employees
 10 are registered properly.

11 And, you know, I was asked to come here
 12 today, so I'm here. The special agent in charge,
 13 from what I understand, has written a letter and
 14 maybe made a phone call.

15 Again, you know, whatever the Board can do,
 16 that's great. I'm not asking for, you know -- again,
 17 like I said, I'm not even asking to waive the fees.
 18 If they do get waived, that's great. But I just need
 19 some direction on what I can do to make everybody to
 20 be in compliance.

21 MS. THOMAS: And as Cody said, the
 22 registered employees -- those licenses are currently
 23 expired. And so we would need the Board's authority
 24 to go back and to allow him to go back and renew
 25 those, rather than have those people reapply.

1 MS. VEST: Our records show that there's
2 21 employees, and 12 of them are expired. So what
3 that means is, he'd have to pay the renewal fee of
4 \$75, the late fee of 7.50 apiece or 22.50 for three,
5 unless you're going to waive the late fee. If you
6 waive the late fee, I will reopen the file, you'll
7 still have to pay the \$75 for the renewal.

8 MR. COCKROFT: When was the company
9 license renewed? Because this would have been the
10 first renewal with the new employee renewal, wouldn't
11 it?

12 MS. VEST: No, it would have been March
13 17th.

14 MR. NICHOLS: This was on paper. It
15 wasn't on the online thing.

16 MR. COCKROFT: Well, I was referring to
17 the fact where the employees are renewed separately
18 instead of --

19 MS. VEST: Yes --

20 MR. COCKROFT: Used to be we just renewed
21 them with the main company license.

22 MS. VEST: Yeah. Well, you used to be
23 able -- yeah, they would send a roster of their
24 employees in, and that's -- yeah.

25 MS. JONES: So there was 20-some

1 employees, and she -- whoever "she" is -- only
2 renewed --

3 MS. THOMAS: Nine.

4 MS. JONES: -- nine of them?

5 MS. THOMAS: Uh-huh.

6 MS. VEST: I know. We didn't see any
7 sense in that either, but that's the way it happened.

8 MR. ROBERTS: Some things don't make
9 sense, yep.

10 All right. So basically the issue here --
11 let me make sure I understand. I'm slow to
12 understand sometimes. The variety of circumstances
13 that you've outlined -- and, of course, we do have a
14 letter from the FBI here, which certainly, in my
15 mind, carries some weight. Basically the issue is,
16 he has 12 employees whose licenses -- whose
17 registrations have expired. And if we're in a
18 position to waive the renewal, then he could go -- or
19 to waive the circumstances, he could renew these.
20 And you'd still have to pay the fee to renew them.
21 But they wouldn't have to go back through a complete
22 reregistration process with fingerprints and
23 photographs and all this stuff.

24 MS. THOMAS: Correct.

25 MR. ROBERTS: And the late fees involved

1 were -- you indicated were \$7.50?

2 MS. VEST: It was for -- yes, for one
3 month. It would add up to 22.50 for the three
4 months.

5 MR. ROBERTS: For the three months. And
6 that would be times the 12 expired employees?

7 MS. VEST: Uh-huh.

8 MR. ROBERTS: Okay.

9 MS. VEST: Well, I think that's where
10 we're at. We're looking at 12 employees at \$75 each,
11 if you agree to override the -- for me to override
12 the late fees. And those employees would be
13 registered. They would not have to reapply at all.

14 MR. ROBERTS: The reapplication process
15 becomes involved, and there are a number of fees
16 involved and fingerprints and photographs and...

17 MS. VEST: Yes, sir. The fee would be
18 \$100 then. And then they're going to have to spend
19 the time to have the prints taken, do the photos, and
20 be processed, yes.

21 MR. ROBERTS: All right. I just wanted
22 to make sure I understood what we were -- we're
23 dealing with here.

24 Board, do you have any questions? Have some
25 action you would like to see taken?

1 MR. COCKROFT: I would make a motion that
2 we allow the renewal of the 12 employees without
3 reapplication and without late fees, due to the
4 circumstances.

5 MR. ROBERTS: Okay. We have a motion.

6 MR. HARVEY: I second.

7 MR. ROBERTS: We have a motion and a
8 second. Is there any further discussion?

9 MR. HARVEY: Aye.

10 I was ready to vote. You didn't even call
11 for it.

12 (Laughter.)

13 MR. ROBERTS: All right. All in favor,
14 if you'll signify by saying "aye."

15 THE BOARD: Aye.

16 MR. ROBERTS: I believe that passes
17 unanimously then. Thank you very much.

18 Mr. Nichols, I'm sorry you had so much
19 difficulty.

20 MR. NICHOLS: Thank you.

21 MR. ROBERTS: I'm sure you're not
22 thrilled with that prospect having happened either.

23 MR. NICHOLS: Right.

24 MR. ROBERTS: But maybe this will let you
25 move forward in a reasonable fashion.

1 MR. NICHOLS: Thank you, sir.

2 MR. ROBERTS: Thank you for your
3 appearance today.

4 MS. VEST: Mr. Nichols, I'm going to --
5 it will take us a while to work all this up. So
6 we'll be calling you --

7 MR. NICHOLS: Okay.

8 MS. VEST: -- and getting it all
9 straightened out with you.

10 MR. NICHOLS: Okay. Thank you.

11 MS. VEST: All right. Thank you.

12 MS. THOMAS: Thank you.

13 MR. ROBERTS: Was that one of her -- one
14 of the -- the lady that got fired, was that one of
15 the registered employees? Should we --

16 MS. THOMAS: No.

17 MR. ROBERTS: That wasn't one of the 12,
18 was it?

19 MS. VEST: I'm not in position to say.

20 MR. ROBERTS: Okay.

21 MS. VEST: Wow, that was rough.

22 Okay. We do have one more appearance that --
23 you do have the handout. It's not on your iPad.

24 This -- you've already heard the -- well,
25 Mr. Campbell, if you'd come in and sign in, please,

1 I'm sure they can listen and read at the same
2 time. They're an intelligent bunch here.

3 MR. CAMPBELL: I can see that.

4 MR. ROBERTS: Yes.

5 MR. CAMPBELL: So thank you for the
6 opportunity to come here this morning and petition
7 for an appeal.

8 One of the things that we have realized is
9 just the dynamic change in technology that we're
10 involved in and how we kind of backed into this thing
11 under the jurisdiction of the Alarm Board.

12 Our company is only interested in cameras and
13 camera technology. We're not interested in
14 connecting with the -- any alarm signals that would
15 be -- that would require resources from an emergency
16 response.

17 Okay. If I may, I'd like to just read some
18 of the letter from May 3rd, so.

19 Please consider this an appeal for an
20 exception to be made in acceptance of my experience
21 as qualifications met to be the QA for EyeOn
22 Technologies Corporation. During my time at Auburn
23 University getting my Bachelor of Industrial Design
24 in '96, with a Business Minor, I developed a mantra:
25 Be a champion for the consumer at the beginning of

1 with your qualifying agent -- I mean, with your
2 company owner as well.

3 Mr. Campbell is here for you to review his
4 application to be a qualifying agent. I believe that
5 application is in CCTV.

6 MR. ROBERTS: To renew his application?

7 MS. VEST: I'm sorry. Did I say -- it is
8 a new application --

9 MR. ROBERTS: New application.

10 MS. VEST: -- talking about his
11 experience.

12 It is somewhat outside the lines of what the
13 statute says. So we did ask him to come today to
14 explain his education and his qualifications.

15 So if you'd just give them a few minutes,
16 Mr. Campbell, to look at the information that they
17 have before we --

18 MR. CAMPBELL: Okay.

19 MS. VEST: -- start talking.

20 (The Board reviews documents.)

21 MS. VEST: Okay. Mr. Campbell, did you
22 want to review some of this letter that you sent to
23 us on May the 3rd --

24 MR. CAMPBELL: Sure.

25 MS. VEST: -- with the Board?

1 the product development process or design process.

2 With over 21 years of professional practice,
3 this guiding principle has proven its value,
4 resulting in millions of sales, as well as subsequent
5 satisfied consumers, as well as over 38 patents.

6 Since 2011 I have been engaged with
7 Britt Summers as a business partner in developing
8 IT-related consumer solutions. My substantial
9 experience in corporate user needs, research, and
10 technical product development knowledge has been
11 uniquely valuable in our business partnership. I
12 strive for excellence, which enables me to deliver
13 above expectations usually.

14 Over our 13-year friendship, there's no
15 friend that has had my trust more than Britt Summers.
16 And I get into this -- the concept of trust. And
17 this is a kind of a family kind of a group. We've
18 had several of our relatives work with us. So we're
19 very close on some of these ideas. Very
20 trust-oriented, which translates into consumer
21 advocacy and consumer values, which as I understand,
22 that's the primary function of the legislation and
23 the Board of Consumer Protection and Advocacy. And
24 we're very much engaged in that. We have lots of
25 recommendations from our -- everything we do is by

1 word of mouth. That's the way we develop our
2 business. We have a lot of people who really
3 appreciate what we bring to the market, with respect
4 to trust.

5 So I have been involved, to some degree, in
6 every aspect of EyeOn since 2011, including our brand
7 identity and values. Defining our values and
8 bringing those to market. For sales I've built
9 compelling tools to creatively engage potential
10 clients in an understanding not only of what they say
11 they need to see, but also allow them to understand,
12 to see, to get insights in ways that they never
13 imagined, given the current state of technology and
14 tools available.

15 I have closely worked to build business
16 partnerships in the US, Asia, and European technology
17 partners, that have resulted in innovations awards
18 recognized by a German manufacturer with the intent
19 to understand how to solve or avoid consumer
20 problems. Given the strong mechanical aptitude and
21 focus on the importance of consumer experience, I am
22 keenly aware of execution details and am competent to
23 use a glow rod, terminate CAT6, and know the
24 difference between plenum and exterior cable and
25 when they are appropriate.

1 There's lots of good business practices, best
2 practice kind of approaches to problem solving from
3 the mechanical side that we've gained over this
4 experience. Managing resources to meet quality
5 expectations and ensuring customer satisfaction have
6 been my primary responsibilities.

7 Our initial EyeOn business interests formed
8 around realizing the dynamic changes in the
9 technologies that enable solving problems in novel
10 ways. We developed solutions for -- ranging from
11 remote viewing of time lapse images for construction
12 progress documentation to customized mechanical
13 solutions specially designed for pharmaceutical clean
14 room compounding boxes, as well as using video
15 analytics devices to capture demographic data to gain
16 insight into consumer behaviors, marketing, and
17 product placement planning.

18 EyeOn has not taken anything like a
19 traditional route into the Alarm Systems Contractors
20 Board jurisdiction. But -- so we find ourselves here
21 today, particularly since we had no business
22 interests in sending signals to trigger a response
23 from emergency personnel.

24 So we have been keenly focused on
25 understanding consumer needs, overcoming the learning

1 curve of technology changes, and understanding market
2 dynamics, that we have only recently understood how
3 we fit under the jurisdiction of the Alarm Systems
4 Contractors Board. That said, we also understand
5 that ignorance of the law is without excuse and are
6 eager to comply.

7 To date we have submitted all of the known
8 requirements for licensing and have paid the dues.
9 We have -- so the only question -- or the big
10 questions remaining, to our knowledge, is acceptance
11 of my academic credentials with a four-year degree
12 from Auburn University and a technical degree in
13 Industrial Design and -- and the experience that I
14 have.

15 So these are the two things -- the two
16 primary considerations for the QA that we're asking
17 for. Then there's the exam, of course, that needs to
18 be passed as well. And if I do not meet the -- if I
19 do not meet muster with respect to the academic
20 credentials and experience, then we are -- we need to
21 find a QA that is qualified and just hire them
22 outright.

23 So, you know, the question is a petition for
24 acceptance of my academic credentials and experience.
25 Ultimately we want to be able to offer

1 competitive solutions utilizing video-enabled devices
2 to address a broad range of consumer needs, and that
3 includes what is covered in the current legislation
4 of the CCTV category. It is our intent to operate in
5 compliance with the law and be in good standing with
6 the Alarm Systems Contractors Board of Tennessee.

7 I appreciate the opportunity to have my
8 experience considered as an exception to meet the
9 qualifications for assignment as a QA for EyeOn
10 Technologies.

11 So that's the gist of it.

12 MR. ROBERTS: Okay. Mr. Campbell, I
13 appreciate that.

14 Board, what -- do you have some questions?
15 What are your thoughts?

16 MR. COCKROFT: My concern is all the
17 unlicensed activity in the past. Basically your
18 letter just told me that you've been doing this since
19 2011. And it's all unlicensed activity. It doesn't
20 matter if it's called something else. Everything you
21 described requires a license.

22 MS. THOMAS: And to that point, I will
23 say that there was -- so the company came to our
24 knowledge through an unlicensed activity complaint,
25 which has been presented and settled before the

1 Board.

2 MR. SUMMERS: Ignorance is no excuse,
3 sir. But as you guys know, technology has changed.
4 We had no clue about the existence even of the
5 Tennessee Alarm Systems Contractors Board. So --

6 MR. COCKROFT: I would think you --

7 MR. SUMMERS: -- I beg your pardon.

8 MR. COCKROFT: One thing you reference is
9 saying that technology's changed. I think you would
10 be hard-pressed to find any qualifying agent
11 installing the stuff that you list as "old
12 technology." Yes, it's changed. But the new
13 technology you're talking about is standard in the
14 industry, and it definitely is a violation of the
15 law.

16 MR. SUMMERS: Well, we're not disputing
17 that. That's why we're here --

18 MR. COCKROFT: I -- but it sounds like
19 the letter's trying to sell us on that, more so than
20 to address the issue of the --

21 MR. CAMPBELL: QA application.

22 MR. COCKROFT: -- QA application.

23 MR. CAMPBELL: Yeah.

24 MR. COCKROFT: I wanted to make sure we'd
25 addressed the unlicensed activity. So that's already

1 been addressed and settled?

2 MS. THOMAS: Yes.

3 MR. ROBERTS: Scott, that has been
4 addressed --

5 MR. COCKROFT: Okay.

6 MR. ROBERTS: -- and appropriately dealt
7 with, I believe --

8 MR. COCKROFT: Okay.

9 MR. ROBERTS: -- so.

10 MR. COCKROFT: I mean, we don't know.

11 When we see some of these, we don't know who --

12 MR. ROBERTS: Who they are.

13 MR. COCKROFT: -- the actions are
14 against, so.

15 MR. ROBERTS: But that has been --

16 MR. COCKROFT: Okay.

17 MR. ROBERTS: -- reasonably dealt with.

18 MR. COCKROFT: Okay.

19 MR. ROBERTS: So really the question
20 we're dealing with at this point is Mr. Campbell's
21 qualifications and his application as a QA.

22 MS. THOMAS: Specifically -- specifically
23 the education and experience. Because they don't
24 squarely fit within the statutory requirements. And,
25 of course, the Board is the only one with the

1 authority to deviate from that.

2 MR. ROBERTS: Let me ask -- and, of
3 course, this was really the first time I've seen the
4 credentials presented.

5 What exactly do you do, and what exactly has
6 your been -- has been your experience in the
7 installation and -- for the closed circuit
8 television? I say closed circuit television. The
9 television industry.

10 MR. CAMPBELL: Just cameras.

11 MR. COCKROFT: Video surveillance.

12 MR. ROBERTS: Yeah, video surveillance --

13 MR. CAMPBELL: Yeah, it's -

14 MR. ROBERTS: -- is probably a better way
15 to --

16 MR. CAMPBELL: Yeah, it's video
17 surveillance, which is what we were -- what we're --
18 our only interest. We're not interested in burglary
19 and fire alarms. It's just cameras and camera work.

20 So my experience has been a broad range.
21 Everything from climbing ladders and installing wire
22 and doing all the details for a quality installation,
23 giving best practices and working with other
24 contractors, subcontractors to, you know, learn how
25 they install.

1 So on the installation side, to the IT
2 configuration, you know, setting up all the network
3 stuff and understanding computer components and speck
4 components, as well as working with manufacturers to
5 understand how to use the technology and the tools
6 embedded in the software to deliver customer
7 experiences, such as demographic data and
8 demographic -- you know, heat mapping and lots of
9 different things.

10 So it's a broad spectrum. Everything from
11 sales to installation, or from working with
12 manufacturers to the enduser.

13 MR. SUMMERS: If I may say something?
14 We, unlike most traditional companies in the States,
15 have no trucks and ladders. In fact, I can -- you
16 know, we obviously have installation services, but we
17 rely on subcontractors.

18 MR. CAMPBELL: Yeah.

19 MR. SUMMERS: Furthermore, a lot of what
20 we do is integration work. You know, all of these
21 being IT-enabled devices, they're all dependent on
22 software function.

23 So maybe that's further context on the kind
24 of experience you could expect from Mr. Campbell.

25 MR. COCKROFT: Are the contractors that

1 you're using licensed?

2 MR. SUMMERS: They meet local -- you
3 know, permits are pulled, Dixie-certified technicians
4 are used.

5 MR. COCKROFT: Actually, that wasn't my
6 question. Are they licensed by this -- by the Alarm
7 Contractors Board?

8 MR. SUMMERS: In some cases.

9 MR. COCKROFT: It's required that they
10 would be.

11 MR. SUMMERS: Okay. In some cases, yes;
12 in some cases, probably not.

13 MR. COCKROFT: Just for your information,
14 if you do get licensed, your subcontractors have to
15 be licensed as well, or you and that person are in
16 violation.

17 MR. SUMMERS: Understood.

18 MR. ROBERTS: Now, it's my understanding,
19 Mr. Campbell, that you have not yet taken the
20 examination for a qualified agent?

21 MR. CAMPBELL: That's correct.

22 MR. ROBERTS: That's correct.

23 Okay. So basically the -- in order to be
24 issued a license as a qualifying agent, we would have
25 to accept your academic credentials, your experience,

1 a pressing moment, okay?

2 MR. COCKROFT: It just concerns me that
3 you keep trying to say things -- it sounds to me like
4 you're trying to say, well, we don't think we're in
5 -- violating the law, but we're getting licensed
6 anyway. Because you're saying things that -- like
7 those wouldn't matter. But everything you're doing
8 requires a license, aside from all these things
9 you're saying you're not doing --

10 MR. CAMPBELL: Sir, I just -- I submit
11 that we are here because we acknowledge I need to be
12 under the jurisdiction of this Board.

13 MR. COCKROFT: Okay.

14 MS. JONES: And if you take the CCTV and
15 you pass, you still have an alarm license classified
16 in not only burglar alarms but CCTV also, which means
17 you could go back and do burglar alarms with no
18 experience.

19 MR. SUMMERS: We have no burglar
20 alarms --

21 MR. CAMPBELL: Yeah, we have no interest
22 in that at all.

23 MS. JONES: You have no interest in it
24 today, I understand.

25 MR. COCKROFT: They'd have to get a

1 and then it would still be dependent upon taking the
2 appropriate examination.

3 MR. CAMPBELL: That's correct. And I
4 hope you take our intent to comply as well.

5 MR. ROBERTS: Well, like I say, at this
6 point, we -- we're looking at the -- basically the
7 question that we have before us at this point is your
8 qualifications.

9 MR. CAMPBELL: Yes, sir.

10 MR. COCKROFT: And I understand that's
11 what we're looking at. What concerns me is, you keep
12 going back to trying to say that you're not doing
13 alarms and you're not doing monitoring. But CCTV,
14 which is video monitoring --

15 MR. SUMMERS: We're not doing monitoring,
16 sir.

17 MR. COCKROFT: It does -- it's
18 irrelevant. What you're doing, aside from those
19 things, is a violation of the law. That's -- it's
20 like you keep going --

21 MR. SUMMERS: That's why we're here, is
22 to comply.

23 MR. CAMPBELL: Yeah, right.

24 MR. COCKROFT: You keep confusing --

25 MR. SUMMERS: Well, forgive us. This is

1 separate QA for fire, burglar, and --

2 MS. JONES: Well, they'd have to have an
3 alarm license, period --

4 MR. COCKROFT: Right.

5 MS. JONES: -- and then have the CCTV
6 specialization.

7 MR. COCKROFT: Right.

8 MR. CAMPBELL: We just want to specialize
9 in cameras. If you -- you know, surveillance
10 solution specialists is what -- is what we're more
11 interested in than anything that -- I -- we don't
12 want to send alarm signals. So how do we get
13 qualified for that? Is -- all we're interested in is
14 hanging cameras and configuring user needs.

15 MR. SUMMERS: And being complaint with
16 the law, of course.

17 MR. ROBERTS: I believe the basic
18 question we're dealing with is the credentials that
19 Mr. Campbell would bring forward, whether they meet
20 the Board's willingness to accept.

21 He has a BS in Industrial Design?

22 MR. CAMPBELL: Yes, sir.

23 MR. ROBERTS: And so they presented a
24 copy of your diploma from that.

25 MR. CAMPBELL: Yes, sir.

1 MR. ROBERTS: So that's pretty clearly
2 set. Whether or not we would require or allow the
3 Industrial Design degree to -- as a -- to reasonably
4 meet the Board's -- the statutory requirements and
5 the experience -- basically what you're saying is,
6 from 2011 you've -- since 2011, you worked with
7 EyeOn; is that correct? Or --

8 MR. CAMPBELL: Yes, sir.

9 MR. ROBERTS: Have you worked with any
10 other companies in the past that have any sort of
11 closed-circuit television alarm-related experience?

12 MR. CAMPBELL: I worked with another
13 company called Community Security that was -- and I
14 did more marketing and branding for them, which is an
15 alarm company. But I did not --

16 MR. ROBERTS: When was that,
17 Mr. Campbell?

18 MR. CAMPBELL: That was in --

19 MR. ROBERTS: Approximately.

20 MR. CAMPBELL: Yeah, 2011. 2010, 2011.

21 MR. ROBERTS: And that was basically a
22 sales position?

23 MR. CAMPBELL: Sales and marketing, yep.

24 MR. SUMMERS: Not sales in the
25 traditional sense, though, right?

1 experience.

2 MS. JONES: The degree and the
3 experience.

4 MR. COCKROFT: I would accept experience.
5 It sounds like he's pretty well testified here that
6 he's been doing this since 2011.

7 I would -- not to -- and I think we're going
8 to be getting off track, but we could delve into that
9 sales job, because it sounds again like you're saying
10 it wasn't -- wouldn't need to be licensed. But
11 anyone selling any kind of video surveillance, to --
12 whether it's to a nonprofit or any -- it has to be
13 licensed.

14 MR. CAMPBELL: No, it wasn't video
15 surveillance.

16 MR. ROBERTS: Well, we're --

17 MR. CAMPBELL: That was --

18 MR. ROBERTS: But anyway, we're getting
19 off track there. It was alarm systems.

20 MR. COCKROFT: And it would have to have
21 been licensed.

22 MR. CAMPBELL: No, I was helping with the
23 marketing --

24 MR. COCKROFT: So were --

25 MR. CAMPBELL: -- with alarm systems.

1 MR. CAMPBELL: Yeah. I mean -- yeah.

2 MR. SUMMERS: Alliance -- their go-to
3 market was alliance-driven through nonprofit entities
4 in the Memphis Metro area.

5 MR. ROBERTS: Okay.

6 MR. SUMMERS: And trying to influence --

7 MR. ROBERTS: Basically --

8 MR. SUMMERS: He's not going door-to-door
9 selling contracts --

10 MR. ROBERTS: Okay.

11 MR. SUMMERS: -- or to commercial
12 entities. I just think that's important to clarify.

13 Because he would not have been required to have been
14 registered.

15 MR. ROBERTS: Basically it was a
16 sales/marketing position with that company?

17 MR. CAMPBELL: I'd say more marketing,
18 but...

19 MR. ROBERTS: Okay.

20 MR. CAMPBELL: Yeah, you're correct.

21 MR. ROBERTS: What's the Board say --
22 what do you think, Board?

23 MR. COCKROFT: What's your feeling on
24 the -- the main thing is the degree?

25 MR. ROBERTS: The degree and the

1 MR. COCKROFT: So were you registered
2 with the Alarm Board?

3 MR. CAMPBELL: I was not.

4 MR. COCKROFT: Yeah. And that would have
5 been the company at fault there --

6 MR. CAMPBELL: Yeah.

7 MR. COCKROFT: -- not you.

8 But you should have been registered in that
9 position.

10 MR. CAMPBELL: I'm beginning to realize
11 that.

12 MR. ROBERTS: I think it's become clear
13 that these folks have come forward.

14 MR. COCKROFT: They're wanting to comply.

15 MR. ROBERTS: Basically -- a little bit
16 of the history. Basically, there was a complaint.

17 At that point they realized they needed to be
18 licensed. That is -- the complaint has been settled,
19 and now they're trying to move forward in a status
20 that would be compliant with our Board and the
21 statutes. So that's kind of where we go.

22 Now, the question is whether or not we're
23 willing to accept Mr. Campbell's academic credentials
24 and experience as meeting the statutory requirements.
25 If we accept that, then he can take the exam and then

1 move forward as their qualifying agent. If we do not
 2 accept that, then they've got to make some
 3 arrangements quickly to obtain a qualifying agent so
 4 they can continue moving their business forward.
 5 MR. CAMPBELL: Thank you, Mr. Roberts.
 6 MR. ROBERTS: Do you have any comments,
 7 thoughts, suggestions?
 8 MR. HARVEY: I tend to agree with
 9 everything you're saying to this point. I think
 10 obviously the experience is there. I agree with
 11 Scott that there has been a lot of activity going on
 12 that should have been recognized before now. But I
 13 think you've done a good job of pointing that out.
 14 Have -- just curious. Have you seen the
 15 little book that says "Alarm Licensing Law" on the
 16 front of it? Have you read that thing yet?
 17 MR. SUMMERS: Say -- say it one more
 18 time, sir.
 19 MR. COCKROFT: It may not be printed
 20 anymore.
 21 MS. VEST: No, there is no book. You got
 22 the red book. He didn't get the red book. But he
 23 has been on the Internet.
 24 MR. CAMPBELL: No, we have not.
 25 MS. VEST: He's been on the Internet and

1 saw and filed applications.
 2 MR. ROBERTS: We've gone paperless.
 3 High-tech society.
 4 MR. CAMPBELL: Right. Right.
 5 MR. ROBERTS: And quite honestly, I think
 6 Mr. Campbell is a part of that society.
 7 MR. SUMMERS: What's the red book called?
 8 MR. HARVEY: Well, I was being facetious.
 9 We -- used to be a little red book. It had the law.
 10 MS. VEST: It is no longer available.
 11 MR. ROBERTS: It was a listing -- it was
 12 a printed edition of the statutes.
 13 MR. COCKROFT: You can now find it
 14 online.
 15 MS. VEST: The only thing I want to
 16 interject here is that -- perhaps if Mr. Campbell did
 17 not pass the CCTV exam, that they -- I think they did
 18 make a statement that they would go out and get a
 19 qualifying agent in that classification to give
 20 Mr. Campbell time. If not, Mr. Campbell would need
 21 to take the exam again and then need to have your
 22 permission to go ahead and give them an extension
 23 through our office if that's necessary, so I don't
 24 have to bring it back again.
 25 MR. COCKROFT: The company is currently

1 licensed or waiting on the QA to be licensed?
 2 MS. VEST: They're waiting on the
 3 qualifying agent, yes, sir --
 4 MR. COCKROFT: Okay.
 5 MS. VEST: -- to be licensed.
 6 MR. ROBERTS: So basically the entire
 7 operation is depending on his qualifying agent.
 8 Okay. Are you ready to make a decision on
 9 this?
 10 MR. HARVEY: Uh-huh.
 11 MR. ROBERTS: Do we have a motion? Or
 12 you want to delve into this a bit further? What's --
 13 are y'all going to flip a coin to see who makes the
 14 motion?
 15 MR. COCKROFT: I'll make a motion to
 16 accept the degree.
 17 MR. ROBERTS: Mr. Campbell's academic
 18 credentials, as well as his experience, as meeting
 19 the requirements for a qualifying agent?
 20 MR. COCKROFT: Yes.
 21 And then we also need to add a -- the ability
 22 for an extension, if necessary, for the company.
 23 MR. ROBERTS: A 90-day extension.
 24 MS. VEST: Yes.
 25 MR. ROBERTS: All right. Do we have a

1 second?
 2 MR. HARVEY: Second.
 3 MR. ROBERTS: We have a motion and a
 4 second. I hope you got all that down over there.
 5 THE REPORTER: Yes, sir, I did.
 6 MR. ROBERTS: Then all in favor of the
 7 motion, if you'll signify by saying "aye."
 8 THE BOARD: Aye.
 9 MR. ROBERTS: Any opposed?
 10 (No verbal response was heard.)
 11 MR. ROBERTS: Motion then passes.
 12 MR. CAMPBELL: Thank you.
 13 MR. ROBERTS: Very good.
 14 Mr. Campbell, congratulations. Best of luck
 15 when preparing for the exam and taking that. And if
 16 you overcome that hurdle, then you're good to go.
 17 MR. CAMPBELL: Thank you, sir.
 18 MR. ROBERTS: Thank you for your time and
 19 effort.
 20 MR. CAMPBELL: Thank you.
 21 MR. SUMMERS: Thank you.
 22 MS. VEST: Mr. Campbell, when you're
 23 finished with that exam, call me.
 24 MR. CAMPBELL: Okay. Oh, I'll be calling
 25 you way before then.

1 MS. VEST: Okay. Thank you.

2 MR. CAMPBELL: Thank you.

3 MS. VEST: You're welcome.

4 MR. ROBERTS: All right. Cody, are we
5 ready to move forward?

6 MS. VEST: Yes, sir. I believe we're on
7 administrative matters now, which usually moves
8 pretty quickly. Because you've already been given
9 that information.

10 We'll go ahead and take the monthly report.
11 We just have June and July. Again, for the record, I
12 will say that we do have two Board members that have
13 expired. That is Karen Jones and Mr. Roberts.
14 That's what you'll see on both the monthly reports.

15 If there's no questions on that, we'll just
16 move right ahead on that. Like I said, you've been
17 given this information ahead of time.

18 We'll look at the budget review now, if
19 you've got that on your iPad, rather quickly. As you
20 can see, it is the end-of-the-year budget. We ended
21 up with a total of two thousand, fifty-six thousand,
22 two hundred and sixty-nine dollars (sic). The Alarm
23 Board did.

24 We are still -- and will still be -- paying
25 in this quarter -- from what I understand, in this

1 MS. BALASZI: Well, there's four

2 different ones. There's criminal history, Exhibit A.

3 MR. ROBERTS: Okay. We've got A, B, C,
4 and D, it would appear.

5 MS. VEST: All right.

6 MR. ROBERTS: Would it be appropriate to
7 note that our staff doesn't have to deal with the
8 iPads but has real paper to wave in our...

9 MS. VEST: No, sir. See, I do have an
10 iPad, and I do use my iPad. It's just -- I've made
11 some -- it's hard. When they give me an apparatus to
12 use it, I can make notes on and go back to my office.
13 I won't be using the paper.

14 MR. ROBERTS: I understand. All right.

15 MS. VEST: All right. So I think we're
16 on A, which is -- yes.

17 MR. ROBERTS: Mr. Aaron Bobbick?

18 MS. VEST: Bobbick. What we have here is
19 a DUI from 2002. We have a 2002 grand theft,
20 convicted, three years of probation; 2004 burglary,
21 one count was dismissed; petty theft -- you have
22 petty theft, one count, two count, three count. He
23 got three years' probation; had to pay restitution.
24 And again, he was found guilty of a DUI in 2004.

25 MR. HARVEY: No letters in here on his

1 quarter some more for our computer database as well.

2 You will see that's under Edison expenditures. Some
3 months it was a good bit; some months it were not.

4 But we are -- we did end in the black, like we
5 usually do. So there is no fear of being up for
6 sunset. But I will say, if we do get called to the
7 Hill, I will ask the Board to appear as a witness.

8 MR. ROBERTS: That's to share in the
9 blame; is it not?

10 MS. VEST: No, that's to share in the
11 "how you doing, good job." The Hill does like to
12 know that the Board appreciates that. And they do
13 like to meet you; see that you enjoy coming up to the
14 Hill as much as we do.

15 All right. See the next one -- there's
16 legislative update. We don't have any legislation
17 update.

18 Application reviews, we did one this morning,
19 but I did it as an appearance, for Mr. Roy. So we'll
20 move past that.

21 Oh, we have no requests for an extension.
22 We'll just move right on down to the criminal
23 history. And that should be on your iPads as well.

24 MR. ROBERTS: Is that Exhibit A?

25 MS. VEST: I thought it was C.

1 behalf?

2 MS. VEST: No, sir.

3 MR. COCKROFT: In his letter he
4 references that it wasn't on the original
5 application. Is that why it's before us? Would you
6 have approved this? Or is it because of the charges?

7 MS. VEST: It's before you because of the
8 charges.

9 MS. JONES: He said he didn't realize he
10 had to report charges over ten years ago, but our
11 application says --

12 MR. COCKROFT: Right.

13 MS. JONES: -- "have you ever."

14 MS. VEST: Yes.

15 MR. COCKROFT: I just thought they were
16 on the application that I'm looking at. But was it
17 not on the --

18 MS. JONES: It's on the original.

19 MR. COCKROFT: -- the original?

20 MS. JONES: Yeah.

21 MR. COCKROFT: Well, that's what I mean.
22 It was on this application, but he -- sounds like he
23 had another one that it must not have been on.

24 MS. JONES: It's right here. "Have you
25 ever" --

1 MS. VEST: Yes, it's a material
 2 misstatement.
 3 MR. COCKROFT: Okay. I see. He didn't
 4 list it on this one.
 5 MS. JONES: Yeah.
 6 MR. COCKROFT: But then this next page
 7 has it listed. See, the charges are listed on Page 3
 8 in this application, but his letter says that he
 9 didn't list them.
 10 MS. JONES: On his first one.
 11 MS. VEST: The first -- yeah, this is a
 12 reapply.
 13 MS. JONES: This is his second
 14 application?
 15 MS. VEST: This is his second
 16 application.
 17 MS. JONES: We didn't see the first one.
 18 MR. ROBERTS: I couldn't help but notice
 19 with some interest, he was charged and apparently
 20 convicted of grand theft, and he got ten days in
 21 jail. A year later -- little over a year later, he
 22 was convicted of petty theft and got 20 days in jail.
 23 That just seems inconsistent to me.
 24 I personally have a great deal of reluctance
 25 to approve an application where there's been theft or

1 domestic assault that was reduced to battery and it
 2 was dropped. But then we have a new December 2016
 3 domestic assault that he's guilty of -- or the record
 4 shows he's guilty.
 5 Okay. I think what I'm going to need to do
 6 with this one here is to re-call this back. If you
 7 would see the agreed order of retirement, it does
 8 have a date of May the 12th of this year. I have no
 9 more correspondence, so I don't know if it has been
 10 retired or not.
 11 So I probably -- I feel like I do need to go
 12 back to this gentleman and say, you need to provide
 13 me with more court documents, if that's okay with the
 14 Board. Or you can make your decision based on that.
 15 MR. ROBERTS: What's the Board's
 16 pleasure?
 17 MR. HARVEY: I guess any additional
 18 information helps, but it's not looking good at this
 19 point, is my opinion.
 20 Any other opinions?
 21 MR. COCKROFT: What are you saying, Cody?
 22 That you -- some of this information might -- should
 23 not have been presented to us or something? Or it
 24 shouldn't --
 25 MS. THOMAS: It's not that it shouldn't

1 burglary involved.
 2 MR. COCKROFT: I agree.
 3 MR. HARVEY: I make a motion to deny at
 4 this point. And if he would like to appear and speak
 5 with us, we'd welcome that.
 6 MS. VEST: All right. I'll make a note
 7 of that.
 8 MR. ROBERTS: Okay. So we have a motion
 9 to deny. And, of course, he would have the
 10 opportunity to appeal that. And Cody indicated that
 11 she would indicate that in a reply to him.
 12 Do we have a second to the motion for a
 13 denial?
 14 MR. COCKROFT: Second.
 15 MR. ROBERTS: Motion and a second. Any
 16 further discussion?
 17 (No verbal response was heard.)
 18 MR. ROBERTS: All in favor, if you'll
 19 signify by saying "aye."
 20 THE BOARD: Aye.
 21 MR. ROBERTS: I believe that's passes
 22 unanimously then. Thank you very much.
 23 MS. VEST: All right. We'll go to the
 24 next one, which is Exhibit B, Briscoe. This is a
 25 relatively new charge. But he did have a 2005

1 have been presented. With the agreed order of
 2 retirement, if this applicant did go back to court
 3 and ask for this to be dismissed after he met all of
 4 those conditions, this may not have even been a
 5 charge that Cody would have presented to you, but...
 6 She would have presented it, but she would
 7 have also stated that it was dismissed. And so I
 8 think she's asking for the opportunity to go back to
 9 the applicant and request to see if he asked for this
 10 to be dismissed or if this is still a current guilty
 11 charge on his record.
 12 MR. COCKROFT: So do we need to make a
 13 motion, or do you -- are you just going to pull it or
 14 -- what are we doing?
 15 MS. VEST: I don't think we need a
 16 motion. I can just pull it back out and just tell
 17 you that Exhibit B is going to be removed from the
 18 agenda.
 19 MR. ROBERTS: I think that would be
 20 perfectly in order, if that's what you feel like
 21 would be appropriate.
 22 All right. Then let's move on to the next
 23 one.
 24 MS. VEST: All right. I believe that's
 25 going to be Exhibit C.

1 MR. ROBERTS: Teresa Call? Is that
 2 correct?
 3 MS. VEST: Yes, sir, it is. It's a wrong
 4 --
 5 MR. ROBERTS: Wrong application.
 6 MS. VEST: It's a wrong application.
 7 This was a test, and you passed.
 8 MS. JONES: We're awake.
 9 MS. VEST: Yeah.
 10 MR. ROBERTS: Does that mean we can be
 11 QAs?
 12 MS. VEST: No, there might be a little
 13 bit more.
 14 MR. ROBERTS: All right. So we've moving
 15 on to --
 16 MS. VEST: Let's move -- Exhibit D --
 17 MR. ROBERTS: Exhibit D?
 18 MS. VEST: -- yeah.
 19 MR. ROBERTS: Dewayne Lyles
 20 (phonetically).
 21 MS. VEST: Yes, sir.
 22 What I have there, usually what transpires in
 23 the Navy, the -- or in the military, we do the
 24 DD-214. Whatever has happened, they've already --
 25 they've restricted his leave and they charged him

1 with some loss of pay. But we do have the 2000 --
 2 1999, excuse me, possession of marijuana, terrorist
 3 threats, and brandishing a firearm, which he got
 4 probation but his probation was revoked. But it's
 5 been a long time ago. But I felt like it still
 6 needed to come back because the year 2000, he was
 7 found guilty of burglary and vehicle theft; got 16
 8 months in prison.
 9 MR. ROBERTS: We've got a '95, it would
 10 appear...
 11 MS. VEST: That was the military one; is
 12 it not?
 13 MR. ROBERTS: Yeah, it says --
 14 MS. VEST: Yeah.
 15 MR. ROBERTS: -- he was charged with
 16 theft.
 17 MS. VEST: Uh-huh.
 18 MR. ROBERTS: Okay. And then possession.
 19 And then in 2000, vehicle theft, it would appear.
 20 Stolen property.
 21 MS. VEST: Uh-huh.
 22 MR. ROBERTS: Several charges there.
 23 That was in 2000.
 24 MS. VEST: Yes, sir. That's the one that
 25 you'll see further down that said received the stolen

1 property. It was 16 months. Guilty. He does have a
 2 letter there with an explanation.
 3 MR. ROBERTS: Do I understand from the
 4 application that Mr. Lyles is a resident of Alabama?
 5 MS. VEST: Yes. Uh-huh. Yes. That's
 6 what he says on his application.
 7 MR. ROBERTS: Montgomery, Alabama.
 8 MS. VEST: Yes, sir. That's where the
 9 company's located as well. No, is that -- the
 10 company is in Alabama as well.
 11 MR. COCKROFT: Appears he's been in the
 12 industry because he has a --
 13 MS. JONES: Yeah, back in '09.
 14 MR. COCKROFT: Right. He's got a Level 1
 15 class in '09.
 16 MR. ROBERTS: So is this a monitoring
 17 company that he would be working for? Or is this an
 18 installation company? Or do we know?
 19 MS. VEST: I did not look that up. No,
 20 sir, I didn't.
 21 MR. ROBERTS: Okay.
 22 MS. VEST: It's called Capital Business
 23 Equipment.
 24 This company is listed as a burg and CCTV
 25 company.

1 MR. ROBERTS: So I would guess from that
 2 then they are -- they would be planning on using him
 3 as an installing technician of some sort, probably
 4 working up into the Tennessee area. Okay.
 5 All right. What's the Board's pleasure in
 6 this issue?
 7 MS. JONES: I was reading what they do.
 8 MR. COCKROFT: It does say field service
 9 tech. And it says he's been employed since 2005 --
 10 MS. VEST: 2005.
 11 MR. COCKROFT: -- with that company.
 12 MR. ROBERTS: Presumably working in
 13 Alabama.
 14 MS. VEST: In Alabama.
 15 MR. COCKROFT: Right. I'm not saying it
 16 was unlicensed or anything.
 17 MR. ROBERTS: We don't have any letter of
 18 recommendation from the QA, anything like that?
 19 MS. VEST: No, sir. All you have is his
 20 explanation.
 21 MR. ROBERTS: What do you think?
 22 MR. COCKROFT: I don't feel like I really
 23 entirely understand what happened or what was done.
 24 It doesn't really say what the theft was. It is
 25 one -- it's -- basically all happened at one time,

1 right? All of those charges were one --
 2 MS. VEST: In 2000, yes.
 3 MR. ROBERTS: In '95 there was some sort
 4 of problem while --
 5 MR. COCKROFT: In the military --
 6 MR. ROBERTS: -- presumably while he was
 7 in the Navy.
 8 Basically I would focus more on the 2000
 9 arrest. And it's certainly not clear what was --
 10 what was taking place there.
 11 MR. COCKROFT: The theft, I guess, is the
 12 most troubling for me. But it does -- it's not real
 13 clear what this was.
 14 MS. VEST: Well, you know --
 15 MR. ROBERTS: Let's see --
 16 MS. VEST: -- we can always ask him to
 17 come, in if you want to, at the next Board meeting.
 18 MR. ROBERTS: -- looks like there are
 19 three charges here, if I understand correctly.
 20 MS. VEST: Yes.
 21 MR. ROBERTS: Riverside, California,
 22 there was a charge of burglary, receiving stolen
 23 property, and vehicle theft. So there are three
 24 charges there.
 25 MS. VEST: Uh-huh.

1 MR. ROBERTS: And he has not disclaimed
 2 those in his letter.
 3 So do you feel like that you want him to
 4 appear before the Board?
 5 MR. COCKROFT: That would make me feel
 6 better.
 7 I'll make a motion to deny with the -- I
 8 mean, we don't have to add anything else to that, do
 9 we? They basically have the option to appeal.
 10 MS. VEST: Well, if that's what you want,
 11 I'll ask him to appear.
 12 MR. COCKROFT: Okay.
 13 MS. VEST: But if you're going to vote to
 14 deny his application, then he'll need to reapply --
 15 MR. ROBERTS: Let's --
 16 MS. VEST: -- and appear.
 17 MR. ROBERTS: Yeah.
 18 MS. VEST: Or if he wants to appear to
 19 discuss this one.
 20 MR. ROBERTS: Let's -- if you want him to
 21 appear, let's invite him to appear before the Board.
 22 And if he chooses not to do so, then perhaps we could
 23 go ahead and deny the application.
 24 MR. HARVEY: Yes.
 25 MR. ROBERTS: Does that sound like a

1 reasonable approach? Allow -- give him some
 2 reasonable period of time to appear before the Board,
 3 perhaps at the next Board meeting. And if he does
 4 not do so, then his application would be denied.
 5 Does that sound like a reasonable -- would that,
 6 like, be the motion that you would seek?
 7 MR. COCKROFT: Yes.
 8 MR. ROBERTS: All right. Then he would
 9 be invited to attend the next Board meeting to appear
 10 before the Board. And if he chooses not to do so,
 11 then we would deny his application.
 12 All right. Then that would be a motion. Do
 13 we have a second?
 14 MS. JONES: Second.
 15 MR. ROBERTS: We have a motion and a
 16 second. Any further discussion?
 17 (No verbal response was heard.)
 18 MR. ROBERTS: All right. Are you ready
 19 to vote? All in favor, signify by saying "aye."
 20 THE BOARD: Aye.
 21 MR. ROBERTS: I believe that would be
 22 unanimous, and the motion then passes.
 23 MR. COCKROFT: Did we do something
 24 different earlier on one of them? We denied someone
 25 -- I mean, I'm never intending for them to have to

1 reapply or pay fees, if they want to come to appear.
 2 MS. VEST: Yes, sir. You denied the very
 3 first one.
 4 MR. COCKROFT: So that would -- they
 5 would have to pay fees or reapply?
 6 MS. VEST: (Nods head affirmatively.)
 7 Unless you want that one to come before the Board,
 8 too. I don't -- let me see where the individual
 9 actually is.
 10 MR. ROBERTS: That was the one with a
 11 pretty significant record, isn't it?
 12 MS. VEST: This one's in --
 13 MS. THOMAS: Yeah.
 14 MS. VEST: -- Washington State. It's a
 15 Utah company.
 16 MR. COCKROFT: I was just asking. I'll
 17 try to remember that in the future.
 18 MR. ROBERTS: Well, do you want to
 19 revisit that?
 20 MR. COCKROFT: I don't think I made that
 21 motion, did I? I seconded the motion, I believe.
 22 MR. ROBERTS: Well, it was a unanimous
 23 vote in favor, so if anybody wanted to revisit that,
 24 we could certainly do so.
 25 (No verbal response was heard.)

1 MR. ROBERTS: I don't sense that you want
 2 to do that; is that correct?
 3 MS. VEST: Okay. What I've done -- I
 4 have denied the application. He does have a right to
 5 appeal that --
 6 MR. ROBERTS: Yeah.
 7 MS. VEST: -- if he wishes to do so.
 8 I'll send him a letter, and it has the appeal process
 9 in it. And he can come back -- he can come before
 10 the Board, if needed.
 11 MR. ROBERTS: All right. Very good.
 12 All right. Are we ready to move on --
 13 MR. COCKROFT: Uh-huh.
 14 MR. ROBERTS: -- Cody?
 15 MS. VEST: Yes, sir. I believe we're on
 16 -- the last thing that I have actually on the agenda
 17 is the course approvals for review. I believe we
 18 sent some out to Mr. Roberts and Mr. Harvey and
 19 Mr. Cockroft there.
 20 I believe, Ken, you probably got the first
 21 four that are Electronic Security Association, the
 22 national training school. They have asked us for
 23 continuing education, one hour for each one of those
 24 classes.
 25 MR. COCKROFT: I got some of the ESA

1 David Turner, and Jonathan Lim, L-I-M, is how I
 2 pronounce that. It's not for their courses. It's
 3 for the instructors.
 4 MR. ROBERTS: To approve them as
 5 instructors?
 6 MS. VEST: Yes, sir.
 7 MR. ROBERTS: Were you comfortable with
 8 that?
 9 MR. COCKROFT: Yes.
 10 MR. ROBERTS: Okay. Then the -- what was
 11 next? I have four courses that were submitted for my
 12 review.
 13 MS. VEST: Yes, sir. You had the
 14 Electronic Security Association.
 15 MR. ROBERTS: Okay. And I had four
 16 courses. Let me read those. One was the national
 17 electric code as it applies to fire alarm systems,
 18 for one hour of continuing education. The second one
 19 was general session, Innovate or Else, for one hour
 20 of continuing education. Third course was public
 21 safety luncheon, Video Surveillance: Focusing on the
 22 Evidence, one hour of continuing education. The
 23 fourth course was opening keynote lessons in
 24 leadership, for one hour of continuing education.
 25 And I would recommend that we approve all

1 classes.
 2 MS. VEST: Okay.
 3 MR. COCKROFT: As well as the --
 4 MS. VEST: No. You -- I think what
 5 you've got was the new instructors for the Hikvision.
 6 MR. COCKROFT: Right.
 7 MS. VEST: And they -- all that --
 8 they've all -- the classes have already been
 9 approved, but they want to have these instructors
 10 approved, is what you had, I believe.
 11 MR. COCKROFT: I think I had both,
 12 actually.
 13 MS. VEST: Okay.
 14 MR. COCKROFT: But they both look fine to
 15 me. But the instructors for the existing courses --
 16 MR. ROBERTS: Do you recall what those
 17 courses were? Let's read that into the record, if
 18 you have that information readily available.
 19 MR. COCKROFT: Let's see if I can find
 20 it.
 21 MS. VEST: I can -- this is from
 22 Allen Schwartz at the learning development management
 23 at Hikvision USA. "We wish to submit the resumés of
 24 three individual instructors to be authorized to
 25 teach their classes," is what it is for. Tim Sawyer,

1 four of those as requested.
 2 Were there other courses as well?
 3 MR. COCKROFT: There's some Nortek on
 4 there.
 5 MS. ROBERTS: Okay.
 6 MR. COCKROFT: I didn't get those. I
 7 guess Keith got those.
 8 MR. HARVEY: I was trying to get back to
 9 the dang library. I lost it.
 10 MS. VEST: Okay. You had the Nortek
 11 Security and Control Linear ProControl certified
 12 technician for the six hours of continuing education?
 13 MR. HARVEY: Yes.
 14 MS. VEST: Then you had the 2GIG
 15 certified technician. They requested four hours of
 16 continuing education. Then it was, again, four hours
 17 of education for the GC2 certified technician. We
 18 also had the E3 series certified technician for six
 19 hours. The 2GIG GC3 certified technician for four
 20 hours. And I believe the last one was the 2GIG GC2
 21 and GC3 certified technician. All of these with
 22 Nortek --
 23 MR. HARVEY: Yes.
 24 MS. VEST: -- for six hours.
 25 MR. HARVEY: I approve all of those for

1 continuing ed.

2 MS. VEST: Yes, sir. That's what they
3 asked for, was all continuing ed.

4 MR. ROBERTS: Okay. Good. Then that
5 would be your recommendation.

6 Were there other courses?

7 MS. VEST: No, sir. I believe that's
8 covered them.

9 MR. ROBERTS: Okay. We have three sets
10 of recommendations. Is the Board willing to accept
11 those? Just put it -- put that in the form of a
12 motion. We would have a motion then that the
13 recommendations made by individual reviewers -- the
14 courses that we just listed would be accepted for the
15 continuing education as they've requested.

16 MR. COCKROFT: I'll make that motion.

17 MR. ROBERTS: Oh, we've got a motion, hot
18 dog. Do we have a second to that motion?

19 MR. HARVEY: Second.

20 MR. ROBERTS: So we have a motion and a
21 second. All in favor, signify by saying "aye."

22 THE BOARD: Aye.

23 MR. ROBERTS: I believe that passes
24 unanimously, so then we can move on.

25 MS. VEST: All right. I think the next

1 MS. THOMAS: Yes. That was the question
2 posed at the last Board meeting. And so I've -- I
3 had done some research about the authorized dealer
4 relationship. And it really comes down to a question
5 of vicarious liability and apparent authority.

6 The relationship between the authorized
7 dealer, the monitoring company, and the responding
8 company, it does not obligate the monitoring company
9 for their actions because they aren't necessarily
10 acting on behalf of that monitoring company.

11 So the short answer is, the monitoring
12 company had no liability for the actions of that
13 company.

14 I did prepare a memo to give you-all. I'm
15 treating it as attorney/client communication, which
16 is why it's not on the iPad for others to see. But I
17 did want to give you that answer on the record.

18 MR. ROBERTS: All right. Let me make
19 sure I understand. Apparently -- and I don't recall
20 from the previous Board meeting, the situation.
21 Apparently some question as to whether or not the
22 monitoring company had a liability with regards to
23 actions of the --

24 MS. THOMAS: Respondent company.

25 MR. ROBERTS: -- Respondent company.

1 thing on the agenda is some unfinished business. And
2 I'll turn that over to our staff attorney.

3 MS. THOMAS: Okay. At our last Board
4 meeting, one of the complaints, complaint number
5 2017-020591, I believe was presented by Lindsey. And
6 there was a question posed at the end of her
7 presentation.

8 And Lindsey, you know, correct me where I'm
9 wrong in the facts of the case. The Respondent was
10 an authorized dealer for a licensed alarm monitoring
11 company. There was some dispute about the contract
12 and who was responsible. And I believe the
13 Respondent submitted the contract for collections; is
14 that correct?

15 MS. SHEPHERD: Right. So Respondent's
16 sales rep -- remember talking about this?
17 Respondent's sales rep goes into a home. And the
18 Respondent is an electronics company. And then they
19 are an authorized dealer of an alarm monitoring
20 company. But the actual contract is between -- that
21 was negotiated by Respondent's sales rep, is actually
22 between the monitoring company and the consumer.

23 So the question was, what's the liability --
24 potential liability for the monitoring company.

25 Is that right, Ashley?

1 MS. THOMAS: Correct.

2 MR. ROBERTS: And I would guess from
3 that, the Respondent company had done something
4 inappropriate and the -- presumably the complainant
5 had a complaint back against the monitoring company
6 and said, well, they were an authorized agent;
7 therefore, the monitoring company was responsible in
8 some fashion. Was that the question?

9 MS. SHEPHERD: It was that -- their
10 complaint was actually against the electronics
11 company. So the monitoring company wasn't mentioned
12 within the complaint, and there was never a complaint
13 opened against them.

14 MR. ROBERTS: Okay.

15 MS. THOMAS: And part of the reason for
16 that is, I think the monitoring company actually did
17 release the complainant from the contact, and then
18 that electronics company apparently sent that
19 contract for collections. And I think that's how the
20 Board sought to question whether or not the
21 monitoring company had any liability.

22 MR. ROBERTS: Okay.

23 MS. THOMAS: That was all I had.


24 MR. ROBERTS: All right. I don't see
25 that there's any particular action that the Board


1 needs to take; that that was a report you made for
 2 our information then.
 3 MS. THOMAS: Right. Based on the
 4 question that you-all had posed at the last meeting.
 5 MR. ROBERTS: Good. All right.
 6 MS. VEST: Okay. I believe the next
 7 thing on the agenda is new business. And the only
 8 thing I have is that Mark Amick (phonetically) and
 9 Phyllis Patrick will be attending the -- what is it?
 10 TNESA?
 11 MR. COCKROFT: ESA.
 12 MS. VEST: Because we'll be -- Shauna and
 13 I will be preparing for another Board meeting.
 14 And then we do have -- on September the 15th
 15 in Pigeon Forge would be the seminar that we invited
 16 all the alarm contractors, locksmiths, private
 17 investigators, and security personnel to attend. It
 18 will be two sessions, one in the morning and one in
 19 the afternoon. There are some -- still some rooms
 20 available if anybody is interested. It will be given
 21 at the State rate as well.
 22 It will be the -- like I said, the last
 23 session for this year. I don't know when we will
 24 have another one. It is going to be actually
 25 on-boarding, and we will be focusing on alarm

1 MS. JONES: If you go, you get ten CEUs
 2 with them.
 3 MR. ROBERTS: You'll be socially
 4 ostracized.
 5 MR. COCKROFT: I think I was a little
 6 late coming in one time, and I got pointed out.
 7 MS. VEST: Did I? Oh, I am so bad. See,
 8 that's the way they do me at these meetings.
 9 MR. ROBERTS: All right. Is there any
 10 further business for our Board before we adjourn?
 11 (No verbal response was heard.)
 12 MR. ROBERTS: All right. If there's
 13 none, then we will declare ourselves adjourned.
 14 Thank you for your participation.
 15 (WHEREUPON, the foregoing proceedings
 16 were concluded at 11:31 a.m.)
 17
 18
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1 applications at this meeting. All applications are
 2 the same when you're on-boarding, but we -- actually
 3 they're demonstrating how to do this for your
 4 registered employees.
 5 And then we'll be talking about other things
 6 that have been going on. But it will be all
 7 professions that we do regulate. Hope everybody can
 8 attend.
 9 MR. ROBERTS: Okay. Does that -- is that
 10 all of our new business then?
 11 MS. VEST: Yes, sir. That's all I have.
 12 MR. ROBERTS: Basically was an
 13 announcement.
 14 Is there any other business that the Board
 15 needs to conduct?
 16 MR. HARVEY: Are we supposed to attend
 17 the TNESA show for the portion of it that involves
 18 the State Board?
 19 MS. VEST: The State Board. If you do
 20 attend, you'll be given continuing education. It's
 21 just going to be -- actually the highlight also of
 22 the on-boarding.
 23 MR. COCKROFT: She'll just point out that
 24 you're not there on the record.
 25 MS. VEST: I wouldn't do that, Scott.

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 3 COUNTY OF SUMNER
 4
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