

MINUTES OF REGULARY SCHEDULED PUBLIC MEETING

This regular meeting of the Alarm and Locksmith Industry Committee scheduled to begin at 9:00 a.m. on the 8th day of January, 2014 was convened in accordance with the Oklahoma Open Meeting Act [25 O.S., 301 et seq.]. Further, an advance public notice that was sent to the Secretary of State's Office of Administrative Rules by Facsimile November 12, 2013, prior to this time today, specifying the time and place of the meeting here convened, preceded this meeting. Notice of this meeting was given at least twenty-four (24) hours prior hereto and no one filed a written request of notice of meetings of this public body to date.

PUBLIC BODY: Alarm and Locksmith Industry Committee

DATE: Wednesday, January 8, 2014

ADDRESS: Oklahoma Department of Labor (ODOL)
3017 N. Stiles, Suite 100
Oklahoma City, OK 73105

CONTACT PERSON: Daryl Bottoms

TELEPHONE: (405) 521-6563

Agenda Item 1: **Call to Order**

Meeting was called to order at 9:06 a.m. by Bob Carroll

Agenda Item 2: **Roll Call**

Committee members present: Dennis Bloye, Jim Buck, Bob Carroll, Lisa Fields, Zeke Lay, and James Perry.

Members Absent: Sean Crain, Maurice Grant, and Charles Hudecek.

Staff Present: Daryl Bottoms, Don Schooler, Alexander Thorne, and Tiffany Wythe.

A quorum was reached.

Agenda Item 3: **Statement of Compliance with the Open Meeting Act**

Statement of Compliance with the Open Meeting Act was read by Daryl Bottoms.

Agenda Item 4: **Approval of minutes for December 4, 2013 Alarm and Locksmith Industry Committee meeting.**

James Perry made a motion to approve the minutes from the December 4, 2013 meeting. The motion was seconded by Zeke Lay. The motion was approved by unanimous consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, James Perry, and Bob Carroll.

Agenda Item 5:

Introduction of Michelle Anderson, Angela Cobble, and Russell Whittington

Alexander Thorne introduced Angelia Cobble, and announced that Russell Whittington is the new Alarm and Locksmith Industry Inspector for the Tulsa area and Michelle Anderson is a new Administrative Assistant for the Alarm and Locksmith Division.

Agenda Item 6:

Oklahoma Department of Labor Alarm and Locksmith Applications for Licensure

Jim Buck discussed the new applications. The items on the form have been moved around. A checklist is included at the top of the application, the application was cleaned up, and the Department of Labor has hopefully improved user friendliness. This format will probably be applied to other applications at the DOL. A "Company Manager" application and a "New Company" application were provided as examples and Jim Buck asked for feedback.

Zeke Lay asked if there should be a comment that in OK a DUI is considered a crime of Moral Turpitude.

J. Buck pointed out that it is a background check that determines if we request that the person comes before the board.

B. Carroll pointed out that DUI as a Moral Turpitude is not a gray area as far as the law is concerned, but that we would catch that from the background check. It is not essential to have the DUI comment on there, but that it might be helpful.

The Committee generally agreed that the new format was helpful.

Agenda Item 7:

Appointments to the Alarm and Locksmith Industry Committee

Jim Buck discussed the process for individuals interested in applying to be appointed to the committee. Jim Buck indicated that the applications are submitted to the Governor's office. Those interested need to apply now to get the process started. The Governor's office may be following up with applicants with additional questions.

Bob Carroll pointed out that the term begins June 1st. Three will be rotating off the board this June. If you are interested in serving, please apply. Committee members are now appointed by the Governor.

Agenda Item 8:

Final Draft Standards for the Alarm and Locksmith Exams

The Final Draft Standards for the Alarm and Locksmith exams were provided to all committee members. There are eight different tests. The workgroup has looked at State standards and National standards, and asked "What is the knowledge level needed to enter this profession?"

This is the direction the workgroup is moving and the test questions will be based on these standards. There are seven exams for the different disciplines and one manager exam based more on rules, the Alarm and Locksmith Act, and OSHA rules. Jim Buck indicated he will take any comments back to the workgroup, and invited everyone to call or email him.

Sales and Technician license exam standards are combined. People from all different disciplines participated in the workgroup. There were usually about 15 people in the workgroup. Some people were individuals with a personal interest in the industry and some were representatives of associations.

The test questions will be owned by the Oklahoma Department of Labor. By providing the standards, vendors other than Career Tech will be able to provide courses to prepare applicants to pass the test and enter the industry.

Bob Carroll asked for those who have worked on this to stand to be appreciated.

The workgroup members felt that it was not the correct body to determine when a manager could take a management test.

Lowell Roberts stated that requiring a locksmith to be a technician for two years before becoming a manager would kill the locksmith industry.

Jim Buck indicated that only the Burglar and Residential Fire alarm standards mentioned a requirement that a technician work for a certain number of years before being eligible to take the manager's test.

Agenda Item 9:

Military Protection Rule Change

Bob Carroll indicated that a complaint had been filed and brought to the committee's attention a couple of months ago. It pertains to the military being re-assigned and being stuck in an alarm and locksmith contract (mainly alarm). A proposed rule change might address this.

Jim Buck indicated that public comment on this specific rule change opened January 2nd, when the proposed rule change was posted to our website. This specific rule change will have a Public Comment time during the February 5th meeting.

This is a change that would require a disclosure statement which would be on the contract. It was agreed that it would be better to make a rule change to add this to contracts, as opposed to requiring statute change through the legislature.

Bob Carroll indicated that the committee felt that, rather than overstepping its bounds, it was agreed that it would be better to use the disclosure statement.

Agenda Item 10:**Alarm and Locksmith Enforcement Activity.**

Alexander Thorne indicated that he would like to provide the committee with enforcement activity stats every quarter. He shared some stats regarding the number of contacts we have had in the last few months. Citations, Educational Consultations (warnings), and other numbers were shared.

Alexander Thorne discussed the regions that the State is broken up into. The Alarm and Locksmith Division utilizes the same eight regions that the Department of Homeland Security uses. The Alarm and Locksmith Division has a goal to hit each region at least once a quarter.

Most contacts are proactive as opposed to reactive. Most folks come into compliance once they are notified of the rules.

Dennis Bloye asked how the Department of Labor decides what projects to target. Jim Buck pointed out that inspectors drive around to find Alarm and Locksmith employees at work on their various projects. There is no database with all of the different Alarm and Locksmith projects listed. Also, customers can call in complaints or submit a complaint online.

Jim Buck shared his view that compliance is a three legged stool consisting of education, enforcement, and public awareness.

Alexander Thorne indicated that all complaints are tracked and investigations are started within 10 days. Alexander is putting together an educational packet or pamphlet to share with contacts.

One thing that can help is receiving complaints. Alexander pointed out that we still do stings and receive and work complaints from Fire Marshalls.

Zeke Lay asked if there is a follow through with the complaint process to make sure complaints do not disappear without investigation. Also, he asked about the numbers, to see if the number of "Violations" were included in the number of "Contacts". The number of "Contacts" does include the number of "Educational Consultations" and the "Citations".

Bob Carroll thanked Alexander Thorne for the providing this information to the committee. If a citation is not paid, the department would handle that. He asked that we continue to receive that.

Jim Buck indicated that there will be a follow up letter available for those who make complaints.

Agenda Item 11:**Public Comments**

Lowell Roberts, with J&L Lock, Safe, & Security, asked how the Alarm and Locksmith Division receives money to pay staff member's paychecks.

Jim Buck pointed out that the goal of enforcement is compliance, not revenue generation. The fees paid by licensees support the administrative functions of the Alarm and Locksmith Division. Jim Buck pointed out that fewer citations means people are in compliance.

Lowell Roberts had questions about the Public Service Announcements. He wondered if it is possible to inform licensees of rules and regulations. Bob Carroll pointed out that a PSA may not be the right place to do that. Radio and Television companies are required to provide a certain amount of Public Service Announcements. Internal (industry) communication would be more appropriate for that.

Jim Buck indicated that industry newsletters would be a good place to provide information. Also, the Department of Labor webpage will be revamped to help people find the information they need.

Ron Edwards, Chairman of the Board of Directors of the Oklahoma Fire Sprinklers Association, asked that no changes be made to the fire sprinkler education standards and rules until there is proper representation on the committee. The OK Fire Sprinkler Association found out about the meetings in December. It is believed that no workgroup members were members of the Association. Jim Buck indicated that the announcement of the workgroup was made in accordance to the Open Meetings Act. Some companies rely on the committee members to share information with them.

Bob Carroll indicated that no committee members are representing any association, but represent their respective industries as a whole.

Ron Edwards asked that committee members share meeting information with the rest of the industry.

Zeke Lay pointed out that there is no “fire sprinkler” member on the committee and wonders if the committee should hold off on any changes until there is a “fire sprinkler” member on the committee.

Ron Edwards asked that there be a rule change that requires at least one person from each industry be appointed to the committee. Bob Carroll pointed out that such a change would be a statute change. Zeke Lay agrees that any industry can end up without representation and maybe a change needs to be made.

Agenda Item 12:
Review of Company Applications

a. The Locksmith Management Company

Categories: Locksmith

Manager: Tyler Hurley

The Locksmith Management Company updated their address to 213 A SW 25th. This is a store. Their employees will be paid hourly for the time being. Tyler, the manager, will be an employee. Mr. Shay Gigi owns one other business in Georgia. He is looking to change locations. The Locksmith Management Company will change locks and make keys.

Jim Buck made a motion to approve this application. Dennis Bloye seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, and Zeke Lay

Nay: James Perry

Abstain: Bob Carroll

b. Tech Force National

Categories: Residential Burglar & Fire Alarm, CCTV

Manager: Jared Mellor

Dennis Bloye made a motion to approve this application. James Perry seconded the motion. The motion passed with majority consent pending proof of a Manager License for Jared Mellor in Oklahoma. (This was confirmed).

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, and James Perry.

Abstain: Bob Carroll

c. Safe & Sound, LLC

Categories: Residential & Commercial Burglar & Fire Alarm, CCTV, Access Control

Manager: Micah Justin Martin

Zeke Lay made a motion to approve this application. Lisa Fields seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, and James Perry.

Abstain: Bob Carroll

d. Spyder Solutions

Categories: Residential & Commercial Burglar & Fire Alarm, CCTV, Monitoring Facility, Access Control

Manager: Gary Bates

Spyder Solutions will not maintain a Monitoring Facility.

Any motion would be subject to removing “Monitoring Facility” from the application.

Zeke Lay made a motion to approve this application with the deletion of the “Monitoring Facility” portion of the application. Dennis Bloye seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Zeke Lay, and James Perry.

Abstain: Bob Carroll and Lisa Fields.

e. Electric Guard Dog, LLC

Categories: Commercial Burglar Alarm

Manager: Randy Mullis

Electric Guard Dog, LLC will monitor electric security fences which, when voltage falls, an alarm goes off. They will have licensed technicians install the systems.

Zeke Lay made a motion to approve this application. Dennis Bloye seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, and James Perry.

Abstain: Bob Carroll

Agenda Item 13:

Proposed Executive Session

James Perry made a motion to move to executive session. Lisa Fields seconded the motion. The motion passed with unanimous consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, James Perry, and Bob Carroll.

Agenda Item 14:

Adjourn from Executive Session

Lisa Fields made a motion to adjourn from Executive Session. James Perry seconded the motion. The motion passed with unanimous consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, James Perry, and Bob Carroll.

Agenda Item 15:

Public Comments Regarding Proposed Amendments to Title 380 Department of Labor, Chapter 75 Alarm and Locksmith Industry Rules

Tiffany Wythe indicated that the Public Comments regarding the Proposed Amendments will be heard after the executive session. These are the first set of rules regarding licensure. The committee has already approved them and the Alarm and Locksmith Industry Committee and the

Oklahoma Department of Labor will accept comments from the public and provide them to the Commissioner of Labor. Comments will also go to the legislature with the proposed rule changes. There will be an additional sign-in sheet in the lobby and individuals may sign in during the executive session. There are rules on the back table.

(Committee moved to and adjourned from Executive Session).
The floor was opened to public comments regarding Title 380.

Dana Fowble, representing the Oklahoma Burglar and Fire Alarm Association, indicated appreciation for the work of the workgroup and the Oklahoma Department of Labor regarding these rule changes. The Oklahoma Burglar and Fire Alarm Association has been doing training for years and continues to do so. If Career Tech has the opportunity to train and test Alarm and Locksmith students, the Oklahoma Burglar & Fire Alarm Association would like to have the opportunity to do so as well, and asks that an agenda item regarding that issue be placed on next month's agenda.

Jack Sink, with Security Solutions USA, indicated he had no issue with the proposed regulations. There is a concern regarding identifying what the testing administration fees are? This may involve substantially increased costs if guidelines for testing fees are not set.

Dana Fowble suggested that the licensure period be changed from one year to three years. Tiffany Wythe indicated that the Commissioner is aware of those discussions.

Zeke Lay thanked the Department of Labor for a job well done so far.

Commissioner will consider comments, decide whether or not to approve the rules and send them to the legislature. On the ODOL Website, under "Transparency" and "Proposed Rules", one can find the status of submitted rules.

Agenda Item 16:

Adjourn From the Meeting

James Perry made a motion to adjourn the meeting. Jim Buck seconded the motion. The motion passed with unanimous consent.

Roll Call:

Aye: Dennis Bloye, Jim Buck, Lisa Fields, Zeke Lay, James Perry, and Bob Carroll.