

## 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 5th day of February, 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, February 5, 2014

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

CONTACT PERSON: Daryl Bottoms

TELEPHONE: (405) 521-6563

### **Agenda Item 1:**

#### **Call to Order**

Meeting was called to order at 9:00 a.m. by Bob Carroll

### **Agenda Item 2:**

#### **Roll Call**

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

Members Absent: Sean Crain, Charles Hudecek, and Lisa Fields.

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**

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

### **Agenda Item 4:**

#### **Approval of minutes for January 8, 2014 Alarm and Locksmith Industry Committee meeting.**

Zeke Lay made a motion to approve the minutes from the January 8, 2014 meeting. The motion was seconded by James Perry. The motion was approved by unanimous consent.

#### **Roll Call:**

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

Abstain: Maurice Grant.

### **Agenda Item 5:**

#### **Update on Alarm and Locksmith Exam Revisions**

Alexander Thorne discussed the progress of the Alarm and Locksmith Exam Questions workgroup. The Workgroup met with CareerTech on January 23, 2014, and discussed revamps

to the questions and learned more about writing good test questions. Some questions were prepared by the workgroup and critiqued by the CareerTech staff. An exam from the Alarm and Locksmith Industry was reviewed to find out what the test currently looks like and determine how the questions can be improved. Knowledge was shared on how to better construct questions. Standards have been set for all Alarm and Locksmith Industry areas except Fire Sprinkler, Fire Sprinkler Inspector and Manager. It is hoped that standards for these areas will be complete by the end of the month. CareerTech will be sending out "Item Writing Assignments" to the workgroup next week. A two-week turnaround time is expected for these assignments. Zeke Lay asked about the number of participants in the workgroup. Alexander Thorne and Jim Buck indicated that there are usually about 12 individuals that participate, but that there has been more interest lately to write test questions. Anyone can write test questions and submit those questions to the workgroup and the workgroup will then vote on those test questions. Individuals from within the various areas of the Alarm and Locksmith Industry are needed to write questions for their specific areas. Questions will go to the workgroup and the workgroup will vote on the questions, considering which ones meet the requirements. Those that pass will then be included in the test bank that will be used to develop the tests. Bob Carroll asked what security measures are being included to maintain security of the test questions. Alexander Thorne indicated that CareerTech has security measures in place to make sure the questions do not leave their data bank. Questions will rotate so that the same questions will not be asked on every test. Security has been discussed only briefly so far. Bob Carroll suggested that a statement of confidentiality be signed by the members of the workgroup. Alexander Thorne agreed that this would be a good idea. Jim Buck agreed that this suggestion would be taken under advisement.

Alexander Thorne said that the workgroup will meet with the Fire Sprinkler Industry to review the Exam Standards, current questions, and proposed questions for feedback from that industry. A workgroup meeting with them is planned this month.

The workgroup has a goal to have all of the Item Writing Assignments completed between mid-March to early April.

#### **Agenda Item 6:**

##### **Appointments to the Alarm and Locksmith Industry Committee**

Jim Buck indicated he has been in contact with Chris Bruehl at the Governor's Office. A couple of members will be term limited this May. If anyone is interested in seeking appointment to the Committee, they need to get their application in within the next two weeks. Chris Bruehl will start checking the licensure of each applicant to make sure he or she is in compliance and currently licensed. The discipline of each applicant will also be considered. Equal representation on the committee is desired, but appointees to the committee can only be chosen from those who apply. Bob Carroll made an informal request that the membership of the committee have a good balance of industries represented.

## **Agenda Item 7:**

### **Legislative Update**

The Oklahoma Burglar and Fire Alarm Association has an active legislative affairs committee made up of industry representatives. One of those representatives, Mike Nelson, indicated that the only changes being considered concern verbiage to match intent, such as “shall” to “must”.

Danna Fowble, executive director of the Oklahoma Burglar and Fire Alarm Association and a registered lobbyist, indicated that the Association is trying to insert some language into a Title 59 bill at the legislature to make sure that each discipline from the industry is represented on the Alarm and Locksmith Industry Committee. This would not change the number of people on the committee.

Maurice Grant asked if there would be a vacancy in the event that no individual from a particular discipline applied to be appointed to the committee. Danna Fowble indicated that the Senators that would sponsor the bill would be asked to allow each of the organizations to make sure that they appoint somebody to apply to be appointed to the committee so that there would be someone from each discipline appointed to the committee.

Bob Carroll agreed with the intent of the proposed change, but cautioned about making a rule due to possible unintended consequences. Bob Carroll has personally expressed his concern, to the Governor’s Office, about maintaining equal representation on the Committee. Danna Fowble agreed that there is a need to tread cautiously. The Association would be happy to share the proposed language with the Committee.

Dennis Bloye suggested adding a “First Right of Refusal”. If all eligible applicants from a discipline not represented on the committee decided to refuse the appointment to the committee, then applicants from disciplines already represented could be considered. The idea would be to reduce the likelihood of a vacancy on the committee. Bob Carroll pointed out there is only a single applicant from an unrepresented discipline, and that applicant was not a suitable applicant, this rule might require that the applicant be appointed to the committee. Zeke Lay suggested listing a core group of disciplines that would have a designated seat on the committee. Other disciplines may or may not be represented. Jim Buck pointed out that if the committee was too large, it might be difficult to have a quorum. Because this committee acts as an advisement committee to the Commissioner on company applications, if the committee did not have a quorum at multiple meetings, company applications could be held up for months.

Danna Fowble said it is the Association’s intent to keep the committee informed.

## **Agenda Item 8:**

### **Public Comments**

Lowell Roberts, with J&L Lock, Safe, & Security, indicated that, at a Saturday meeting in Edmond, the 2-inch lettering requirement was a point of contention. Lowell Roberts informed the group that if they did not like it, today would be the last day they could inform the Committee of their opinion. He also pointed out the rule that allows the license to not be

displayed at a specific job site if the company has a written request from the customer exempting them of that requirement.

Lowell Roberts also indicated that he has been applying to be a member of the committee but has not been appointed yet.

John Roth, with A Better Locksmith, indicated he believes that the size of the lettering should not be important. He also expressed concern over allowing CareerTech to set the price of testing. John Roth would prefer to keep the pricing on tests as it currently is.

Mark Davis, with Roger's Safe and Lock, and Vice President of the Oklahoma Lock and Alarm Association, indicated that the lettering is of no concern to him; however, regarding the fees, Mark Davis understands that the State is reducing the fees for licensing, but that the testing facilities will be able to charge whatever they want. If that is the case, Mark Davis indicated that he, and a group of about 25 to 30 others, would like to keep the testing fees as they are now. It is unknown how much testing facilities will charge for testing or if there will be a separate fee for each test. There is substantial concern regarding this. Mark Davis requested that there be the single fee, through the State, for the license and test, and that CareerTech is not allowed to charge separately for the tests.

Bob Carroll pointed out that it would be helpful if those who made public comments also had written comments to provide to the committee regarding their views and reasons.

Danna Fowble again requested that there be an agenda item added in the future that addressed the question of "What constitutes a testing vendor?" Zeke Lay indicated that he understood that there was no intent to allow only a sole-source to test. Jim Buck said that this was the reason behind the standards and that this issue needed to be put on the agenda.

**Agenda Item 9:**  
**Review of Company Applications**

**a. Spartan Lock**

Categories: CCTV, Access Control, & Locksmith

Manager: Lonnie Morris

Lonnie Morris was not present. Maurice Grant made a motion to approve this application. Zeke Lay seconded the motion. The motion passed with majority consent.

**Roll Call:**

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

Abstain: Bob Carroll

**b. Rose Trades, LLC**

Categories: CCTV, Access Control, Locksmith, Nurse Call, & Commercial Fire Alarm

Manager: Ron Rose

Bob Carroll asked if measures are taken to make sure an individual is not a manager of multiple companies. Jim Buck indicated that the software utilized by the Department of Labor includes a checklist that needs to be completed before the application is brought before the committee for approval. The checklist includes documentation that indicates which companies an applicant may be a manager for and whether or not he or she has an appropriate termination form filed.

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

**Roll Call:**

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

Abstain: Bob Carroll

**c. Diversified Integrated Systems**

Categories: CCTV, Access Control

Manager: Larry Branam (Manager License pending company application approval)

Larry Branam indicated that he has been in business for 15 years. Diversified Integrated Systems does not have any planned projects, but would like to expand into Oklahoma.

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

**Roll Call:**

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

Abstain: Bob Carroll

**Agenda Item 10:**

**Proposed Executive Session**

Jim Buck announced that there would be a Public Comment hearing after the Executive Session regarding the “Disclosure Statement” rule change that is being proposed. He advised the public that, if they wished to make a comment regarding the specific proposed rule change, they should stick around. There is a sign-in sheet for making comments.

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

**Roll Call:**

Aye: Dennis Bloye, Jim Buck, Maurice Grant, Zeke Lay, James Perry and Bob Carroll.

**Agenda Item 11:**

**Adjourn from Executive Session**

James Perry made a motion to adjourn from executive session. Zeke Lay seconded the motion. The motion passed with unanimous consent.

**Roll Call:**

Aye: Dennis Bloye, Jim Buck, Maurice Grant, Zeke Lay, James Perry and Bob Carroll.

**Action taken as a result of Executive Session**

1. **Alexander Green** – Zeke Lay made a motion to table the application of Alexander Green until the March 2014 Committee meeting. Dennis Bloye seconded the motion. The motion passed with majority consent.

**Roll Call:**

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

Abstain: Bob Carroll

2. **Daniel Southers** – James Perry made a motion to approve the renewal application of Daniel Southers. Dennis Bloye seconded the motion. The motion passed with majority consent.

**Roll Call:**

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

Abstain: Bob Carroll

3. **Alarm Protection Oklahoma LLC** – James Perry made a motion to approve the renewal application of Alarm Protection Oklahoma LLC. Maurice Grant seconded the motion. The motion passed with majority consent.

**Roll Call:**

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

Abstain: Bob Carroll

**Agenda Item 12:**

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

John Roth, with “A Better Locksmith”, indicated that he is opposed to changing the rule regarding testing fees.

Bob Carroll pointed out that the purpose of the proposed “Disclosure Statement” rule is to be fair to everyone. Zeke Lay indicated that this proposed rule came about after much discussion about whether or not the Committee should be involved in contract law and this was the obvious answer to not being involved in contract law or about how someone actually sales something.

There were no additional Public Comments regarding the proposed rule.

**Item 13:**

**Next Meeting date scheduled for March 5, 2014**

**Agenda Item 14:**

**Adjournment**

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

**Roll Call:**

Aye: Dennis Bloye, Jim Buck, Maurice Grant, Zeke Lay, James Perry, and Bob Carroll.