

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 4th day of December, 2013 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 26, 2012, 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, December 4, 2013

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, Sean Crain, Lisa Fields, Maurice Grant, James Perry, and Zeke Lay.

Members Absent: Charles Hudecek

Staff Present: Kathleen Baldwin, Daryl Bottoms, Peggy Cooper, and Keith Gabel

A quorum was reached.

Agenda Item 3:

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

Agenda Item 4:**Approval of minutes for November 6, 2013 Alarm and Locksmith Industry Committee meeting.**

Zeke Lay made a motion to approve the minutes from the November 6, 2013 meeting. The motion was seconded by James Perry. The motion was approved by unanimous consent.

Roll Call:

Aye: Zeke Lay, Charles Hudecek, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck and Bob Carroll.

Agenda Item 5:**Discussion on possible changes needed for the Central Station Application**

Mr. Zeke Lay discussed items that he thought would be appropriate to add to the Central Station application.

It is not necessary to obtain additional information, but it would be good to know some additional information. The initial application is the one chance we get to speak with the out-of-town agencies. Mr. Zeke Lay looked at applications from other states and spoke with national scene individuals regarding the applications.

We already ask everything that most other States do. However, most other states seem to just be interested in taking the application check. Oklahoma seems to be ahead of the game, with our biggest difference being that we allow Statewide licensing, as opposed to allowing smaller governmental units to license. We are taking the lead and thinking ahead. We don't ask the location of the Central Station, though we do ask for the principals. We don't ask if they are United Laboratories (UL) listed. The Central Stations are beginning to record and store video. Privacy rights lawsuits could occur in the future. We could ask if the Central Station will record video ahead of time, rather than later.

Any changes will affect the application by asking some additional questions. There are no current plans for the additional data; we are just looking to capture some additional data. When data has been sought after, it was difficult to obtain. The allure to changing the application is the simplicity to do it.

Mr. Bob Carroll pointed out that the application is created by ODOL, and is not required to be submitted to State. Mr. Zeke Lay indicated he may make some modifications to the current application and bring that before the committee for further discussion.

Mr. Jim Buck indicated that the committee can make recommendations to alter application. Mr. Zeke Lay said some questions would be, "What is your physical location? What is your website?" Mr. Jim Buck indicated that modifications to database would be needed, and we would need to know what that would take to make that happen. Mr. Jim Buck recommend that Mr. Zeke Lay bring a modified application to the committee.

Mr. Zeke Lay made a motion to have staff review the application for the Central Station with the idea of capturing some needed information and report back to the committee at the next month's meeting. Mr. Dennis Bloye seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Zeke Lay, Charles Hudecek, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, and Jim Buck.

Abstain: Bob Carroll

Agenda Item 6:

Update on the discussion from the November 6 , 2013 Advisory Committee meeting on the difficulties United States Armed Forces Service Personnel face when attempting to terminate a contract with an Alarm and Locksmith vendor.

Mr. Bob Carroll identified the issue at hand regarding Tinker Air Force Base Personnel. State Senator Aldridge met with the Committee last month to bring this issue before the committee. It was forwarded to this meeting.

On Oct 9, 2013, Bob Carroll, the Commissioner of Labor Mark Costello, Don Schooler, Jim Buck, and Senator Aldridge, met with the alarm company, Vivint. The alarm company pointed out they are selling a system with no money down, but the alarm company needs to recoup its expenses. This system works well until the customer wants to end the contract early. The company would probably have given better customer service from a higher level, (as opposed to frontline customer service personnel). Vivint does not want to penalize armed service personnel. They were interested in what causes the end of the contract.

Mr. Jim Buck provided a Proposed Rule Change – 380:75-3-3, E, which would require an early termination clause or lack of that clause to be acknowledged in writing by the customer. A Written Disclosure Clause applicable to military personnel, required to be separately acknowledged by the customer, is being recommended to address this particular issue. Mr. Jim Buck requested a recommendation for approval from the Committee to move forward with this rule change.

Mr. Bob Carroll pointed out that he feels that the committee should not dictate to the industry the terms of their contracts. If an alarm company wants to say that they make no exceptions, that is okay, but the alarm company should be required to point this out. Each company could decide what the terms of their contract would be. So, Mr. Bob Carroll pointed out that he supports this measure.

Mr. Zeke Lay made a motion to accept this “Disclaimer Clause” as written. Ms. Lisa Fields seconded the motion. Mr. Maurice Grant indicated that this should be applicable to everyone, not just the military. Mr. Zeke Lay pointed out that the military moved without their control. Mr. Dennis Bloye indicated that the military is specifically mentioned so that military personnel understand that this clause.

The question was asked about whether retired military personnel are included or exempted, and should this be addressed? Mr. Bob Carroll indicated the company can decide whether or not to include retirees. The company can define “military personnel” as they see fit. The Oklahoma Department of Labor would not be enforcing this clause. It would be handled in court.

The motion passed with unanimous consent.

Roll Call:

Aye: Zeke Lay, Charles Hudecek, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck, and Bob Carroll.

7. Discussion – Update to Committee on Revisions to the Alarm and Locksmith Exam

The Alarm and Locksmith Exam Workgroup identified 8 different exams for the different disciplines. The members worked through the exams and the draft standards. It was a good meeting. They will meet again December 17, 2013 to identify standards for the Manager's exam.

The workgroup identified what skills an individual needs to be competent to walk in to the profession. Lots of good progress was made. Everyone can look at the proposed standards and we'll talk about it more later. We are making a better product that will allow us to support the effort to bring in a competent workforce.

Mr. Dennis Bloye indicated that identifying standards was step 1, exam questions is step 2. This was not developed for someone who already has 20 years of experience, it is for bringing someone in and be competent at an entry level, be supervised offsite, and can grow in the industry and improve the workforce.

Mr. Jim Buck indicated individuals will be able to identify what an individual needs to know to work in an industry. Also, it allows the individual to see where they are lacking so they can study those portions of the tests.

Mr. Zeke Lay pointed out that questions tend to get into the hands of other companies. Mr. Jim Buck said that Career Tech will provide solution ideas to mitigate this issue.

Mr. Bob Carroll would like to see information regarding Underwriters Laboratory (UL) information. Some companies will indicate they are putting in a UL alarm system, but the alarm company is not a UL alarm company. This is a case of misrepresentation. Mr. Bob Carroll would like to see this issue addressed on test questions.

Mr. Jim Buck appreciates everyone's assistance. Standards will be available at the January Committee meeting for the different disciplines.

Danna Fowble, representing the Burglar and Fire Alarm Industry, thanked the Committee for working on this.

Agenda Item 8:

Review, Discussion and Approval of Proposed Amendments to the Alarm and Locksmith Industry Act and Administrative Rules 59 O.S. §1800.1, et seq. OAC 380:75

This was handled earlier under Agenda Item 6.

Agenda Item 9:

Public Comments

Lowell Roberts had questions regarding the rules that are getting ready to change. "Who has a copy, where are they at?" He has not seen anything written down. Mr. Jim Buck indicated that on December 2nd the rules were posted on the webpage. Any rule changes suggested by the

committee in this meeting will also be posted to the web page. Lowell Roberts asked if there are changes that need to be done, then will the committee take a vote to reverse their efforts if need be?

Mr. Jim Buck indicated that the committee makes a recommendation to the commissioner to move forward with making rules. The reason for the January meeting is for the committee and public to provide comments to the commissioner.

Lowell Roberts advised that people read the rules and make comments.

Agenda Item 10:

Review of Company Applications

a. Delco Locksmith

Categories: Locksmith

Manager: Earl Wayne DeLong

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

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck

Abstain: Bob Carroll

b. FireTech LLC

Categories: Commercial Fire Sprinkler

Manager: Michael Shelton

Mr. Zeke Lay made a motion to approve this application pending a completed approved background check of James Howes. Mr. Maurice Grant seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck

Abstain: Bob Carroll

c. Premier Fire Protection

Categories: Commercial Fire Sprinkler

Manager: Jason Hickey

Mr. Maurice Grant made a motion to approve this application. Mr. James Perry seconded the motion. The motion passed with majority consent.

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck
 Abstain: Bob Carroll

d. Securitas Security Services

Categories: Closed Circuit Television and Access Control
 Manager: Jan Boldt

Jan Boldt indicated that Securitas is an international company with 90,000 employees total. About 500 work in OK. They will not be installing Burglar Alarms. Securitas is primarily a security guard company, replacing low shift/activity posts with CCTV and Access Control.

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

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck
 Abstain: Bob Carroll

e. The Locksmith Management Company

Categories: Locksmith
 Manager: Tyler Hurley

This is a new business. Tyler received his training in Texas and has been a licensed locksmith technician in Texas for two years. The company will be providing mobile services. The owner is Shai Gigi. Primary business address is an apartment. Mr. Hurley has not performed work in Oklahoma yet. Mr. Gigi is licensed in Atlanta. License Denied.

Mr. Maurice Grant made a motion to approve this application. Mr. Dennis Bloye seconded the motion. The motion did not pass.

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, Jim Buck
 Nay: James Perry
 Abstain: Lisa Fields, Sean Crain, Bob Carroll

f. TriCorps

Categories: Monitoring Facility
 Manager: Chad Bradley

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

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck
 Abstain: Bob Carroll

Agenda Item 11:**Proposed Executive Session At 11:06**

Mr. Zeke Lay made a motion to move to executive session. The motion was seconded by Mr. James Perry. The motion passed with unanimous consent.

Roll Call:

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

Ms. Lisa Fields made a motion to adjourn from executive session. The motion was seconded by James Perry. The motion passed with unanimous consent.

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck,
 and Bob Carroll

Agenda Item 12:**Action taken as a result of Executive Session**

1. Robert Atkins – Mr. James Perry made a motion to approve the application. The motion was seconded by Ms. Lisa Fields. The motion passed with unanimous consent.

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck,
 Bob Carroll

2. Christopher Chase – Mr. James Perry made a motion to approve the application. The motion was seconded by Mr. Dennis Bloye. The motion passed with unanimous consent.

Roll Call:

Aye: Zeke Lay, Dennis Bloye, Maurice Grant, James Perry, Lisa Fields, Sean Crain, Jim Buck,
 Bob Carroll

Agenda Item 13:**Next meeting date scheduled for January 8, 2014****Agenda Item 14:****Adjournment**

Mr. Zeke Lay made a motion to adjourn the meeting. The motion was seconded by Mr. James Perry. The motion passed with unanimous consent.

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