



Alabama Security Regulatory Board
2777 Zelda Road
Montgomery, AL 36106
(334) 269-9990
Fax (334) 263-6115
www.asrb.alabama.gov

MINUTES
Board Meeting
Thursday, February 6, 2020

The Alabama Security Regulatory Board met on Thursday, February 6, 2020, at its office located at 2777 Zelda Road, Montgomery, Alabama, to conduct business. The following Board members were in attendance: Mr. Kevin Murphy (Chair), Mr. Burke Swearingen (member) and Ms. Debra Davis (member), Sheriff Ben Bates (member) and Mr. Harold Stamps (new member). Also, in attendance were Mr. Keith Warren (Executive Director), Mr. Cameron McEwen (General Counsel), Mr. Dennis Trammell (Investigator), Ms. Jennifer Love (Legal Assistant) and Ms. Renee' Reames (recording secretary). Board roll was called by Mr. Warren confirming a quorum was present and Chairman Murphy proceeded with the business meeting, calling the meeting to order at 1:40 p.m.

The regularly scheduled Board meeting was advertised on the Board's web site, www.asrb.alabama.gov, and the Secretary of State's website, www.sos.alabama.gov, in accordance with requirements of the Alabama Open Meetings Act.

Mr. Warren administered the oath of office to new member, Mr. Harold Stamps, and to reappointed member, Mr. Swearingen.

Chairman Murphy presented, for the Board's approval, the minutes from the November 7, 2019 regular meeting. A copy of the meeting minutes was provided to the Board members prior to the meeting for their review. Mr. Swearingen made a motion to approve the November meeting minutes as presented. The motion was seconded by Ms. Davis and unanimously approved by the Board.

Mr. Warren presented the Executive Director's Report (report on file in the official Book of Minutes). The report included the financial activities of the Board for the period ending January 31, 2020, along with a line-item summary of expenses. He also reported on the total number of active licensees and the number of complaints received in FY 2020. Mr. Warren indicated that two consents agreements would be presented later in the meeting. The Board discussed the outstanding disciplinary fines assessed in previous Consent Orders and it was the consensus of the Board to not pursue civil cases in the matter of the outstanding fines.

Mr. Warren also presented the Administrator's Report on activities performed by the staff since the last regular Board meeting held in November. The report included information on the number of applications processed, incomplete applications returned to applicants and number of licenses issued, etc. (report on file in the official Book of Minutes).

Mr. Warren reported on the recent Board training session sponsored by the Department of Examiners of Public Accounts and Ms. Davis commented on having attended the meeting. Mr. Warren reported that he would keep the members advised of future opportunities to participate in Board training.

Mr. Warren also reported that the next annual IASIR conference would be held in Huntsville. He commented on the Alabama members serving on the planning committee and working to identify a venue for the upcoming October meeting.

Mr. Swearingen made a motion to approve the financial report as presented. The motion was seconded by Sheriff Bates and unanimously approved by the Board.

Mr. McEwen presented the Legal Counsel report which included two (2) Consent Order for the Board's approval.

- Case 2020-001C – Mr. McEwen reported that the company was licensed and failed to have security guards licensed in a timely manner. He recommended a probationary period of one year and a \$500 fine be assessed.
- Case 2020-004C – Mr. McEwen reported that the company was licensed and failed to have security guards licensed in a timely manner. He recommended a probationary period of one year and a \$1,000 fine be assessed.

Mr. McEwen explained that fines were based on the number of violations and the number of guards involved in the re-occurrence of the violation(s). Ms. Davis made a motion to approve the Consent Order as recommended for the two case, #2020-001C and #2020-004C. The motion was seconded by Sheriff Bates and unanimously approved by the Board.

Mr. McEwen presented the Administrative Law Judge's recommended orders on findings of fact and conclusions of law regarding nine (9) administrative denial cases:

- No. 2019-052D
- No. 2019-056D
- No. 2019-057D
- No. 2019-059D
- No. 2019-063D
- No. 2019-065D
- No. 2019-066D
- No. 2019-068D
- No. 2020-002D

He reported that the Judge (ALJ) recommended in each of the nine cases that the individuals be denied licensure from the Alabama Security Regulatory Board. Mr. Swearingen made the motion to accept the recommendation of the ALJ to deny licensing in the matter of all nine (9) cases. The motion was seconded by Sheriff Bates and unanimously approved by the Board.

Ms. Davis, chairperson of the Minimum Standards Committee, reported that the Committee was continuing to work on expanding the minimum standards training rules and planned to present recommendations at the next Board meeting.

Mr. Warren presented proposed changes to Rule 832-X-1-.11 regarding inspections. The Board discussed removing items (2) and (3), along with modifying item (1) by removing reference to training requirements, and adding a new item outlining the inspection limitations: the inspection of business premises of a licensee, licensed contract security company, and/or licensed contract security company shall be limited to licensure compliance, training records and/or files, personnel records and/or files, financial records and/or files, company policies and or any and all other documents, records, and/or files related to security work or that pertains to the laws, rules and regulations governing security work.

Ms. Davis made the motion to approve the revisions to Rule 832-X-1-.11 as discussed and to submit for publication for public comment. The motion was seconded by Mr. Swearingen and unanimously approved by the Board.

Mr. Warren presented proposed new rule for Applications for Spouses of Active Duty military Personnel. He reported on the new 2018 law in support of expediting licensing applications for spouses of activity duty military personnel and waiving the initial fee. The Board asked Mr. McEwen to review the Board's statute for any conflicting language with the new law. Mr. Swearingen made the motion to table discussion of the proposed rule pending additional information to determine statute or Rule changes. The motion was seconded by Sheriff Bates and unanimously approved by the Board.

Chairman Murphy reported that the office of Vice Chair was vacant and called for nominations. Sheriff Bates nominated Mr. Swearingen as Vice Chair. Mr. Swearingen nominated Ms. Davis as Vice Chair. There were no other nominations for the office. Following a vote of the members, Mr. Swearingen was nominated as Board Vice Chair by a majority of the members.

Chairman Murphy reported that the next meeting of the Board was scheduled Thursday, May 7, 2020 at 1:30 p.m.

There were no further business of the Board and Mr. Swearingen made a motion to adjourn the meeting. The motion was seconded by Mr. Stamps and unanimously approved by the Board. Chairman Murphy adjourned the meeting at 2:30 p.m.

Respectfully Submitted,



Kevin Murphy
Board Chair



Keith E. Warren
Executive Director

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