

**North Carolina Locksmith Licensing Board**  
**Meeting Minutes**  
**5:30pm, Monday, February 12, 2018**

**Members Present:** Jon Jeffries, Keith Throckmorton, Jennifer Richards, Bill Harrell, Steve Bright, Phil Lanier, Dennis Berwyn, Rafe Rountree

**Absent:** Mike Williams

**Staff:** Nick Fountain, Reed Fountain, Barden Culbreth

**Public:** Phil Bramblett

**Call to Order:** Jon called the meeting to order.

**Ethics Awareness Statement:** Jon read the Ethics Awareness Statement and asked for potential conflicts. Hearing none, the meeting continued.

**Public Comment:** Phil Bramblett, a representative of iKeyLess, addressed his company's concerns that their employees were unable to pass the exam after multiple attempts. Bramblett thanked the Board for previous consideration of an exemption from the licensing requirements; which was not granted, but asked the Board to reconsider the company's request.

This request was referred to counsel. Nick Fountain asked for a new request to be submitted in writing to the Board office. Nick advised the Board that it was bound by statute and not able to provide exemption on a case by case basis.

Bramblett asked Barden how long it would take for a new hire to become an apprentice. Barden responded 1-3 weeks if applicant follows instructions on background check correctly. Phil Lanier recommended that the applicant purchase a study guide and apply directly for licensure if that was the employee's intent.

Bramblett thanked the Board for hearing his company's concerns and remained on the call.

Phil Lanier asked Jon if he could address Bramblett. Phil Lanier asked where iKeyLess was located and had their business operations. He responded that the company was headquartered in Louisville, Kentucky but operated nationally. Jennifer Richards and Phil Lanier directed Bramblett to the Board's website for more information.

**Approval of Meeting Minutes:** Jennifer motioned to approve with changes. Steve seconded and the minutes were approved.

**Approval of the October 2017 Minutes:** Steve motioned to approve. Rafe seconded and the minutes were approved.

**Financial Report:** Jon presented the Financial Report. Steve motioned to approve. Phil Lanier seconded and the Financial Report was approved.

**Education/Testing Committee:** Steve reported 14 people took the most the most recent exam, 2 no-shows, and 6 people passed, and 6 people failed. Steve Bright offered to speak with Phil Bramblett about any specific sections on the test results.

Jennifer, a member of the committee, proposed to the Board and legal counsel that apprentices receive limited examination points for attending training classes offered by recognized training sponsors. Steve supported this idea.

Nick asked the Board to examine its statutory authority for issuing credit outside of the examination. Reed pointed to NC GS 93B, which governs all North Carolina Occupational Licensing Boards and may place limits on granting credit outside of examination.

Jon stated he would be appointing a committee to work with counsel to study feasibility of increasing revenue by charging for free services the Board was already providing and these recommendations could be considered by that committee.

**Discussion on Raising Revenue:** Jon asked the Board members to present ideas for raising revenue. Jon reported that the Board was not charging for license replacement, nor was the Board charging for approving sponsorship of CE providers or training.

Steve advised these changes would require a statute change and the fees were outlined under statute.

Phil asked Barden how many licenses the Board office was replacing on average. Barden reported approximately five replacement badges per month.

Jon restated his intent was to form a committee to make these considerations, and these were just examples he wanted Board to consider. He asked for volunteers. Dennis, Phil, Steve Bright volunteered to participate on the committee.

Jennifer asked counsel to elaborate on the Board's responsibility under NCGS 93B. Staff and previous Board counsel had not presented this section of the statute to the Board. Nick discussed this section briefly.

A committee call was scheduled for February 22<sup>nd</sup> at 9:30am.

**Board Office Report:** Barden reported the website walkthrough was postponed and he continued to work with the developers.

**Board Counsel Report:** Nick reported he met with Barden to discuss issues with the Rules and Statute. He and Reed found several instances where clarification of the Rules would probably help the Board in the long run. He presented his recommendations to the Board.

Nick reported that corporations were operating without licenses and if corporations are treated legally as individuals then they should be associated specifically with a license. Discussion followed. Nick advised that he was not recommending a new business license.

He reported other ideas about supervision and enforcement elements.

Steve and Jennifer asked clarification questions about corporations and licenses.

Bill Harrell left the call due to a prior commitment.

Jon thanked counsel and asked the Rules to be considered in committee.

#### **New Business:**

Phil asked Barden about Board member ethics training requirements from the NC Ethics Commission and asked when the required Board member training would take place. Barden responded it was scheduled for April 9<sup>th</sup> meeting in Raleigh.

Discussion followed.

Jon asked the Board to consider the proposal of Case Closed Investigations. Parts of this proposal included reducing the number of investigators involved in a call-out and conducting random screenings of a geographic area for fraudulent locksmiths.

Phil recommended to discontinue the use of Case Closed because there were no results that he had seen.

Barden objected to this and stated he had much success with the investigators.

Phil stated the Board had not received results and needed to focus on the complaints it had and investigative files it has already in its possession. He opposed using the investigators to find new cases. Phil recommended using funds to pay for investigators to be reallocated to educate the public about the locksmith license requirement.

Reed advised the Board that it has a statutory obligation to protect the public and could not willfully decide to not investigate complaints.

Jon asked for a motion on the Case Closed Proposal.

Dennis motioned to table the consideration of the Case Closed Proposal. Steve seconded and the matter was tabled.

Jon asked that the Board review the grid Barden provided illustrating the different fees.

Phil said he was opposed to raising fees without results for the licensed locksmiths of the state.

Steve asked if fee changes would require a rule change. Nick confirmed that it would require a change in rules.

**Adjourn:** Steve motioned to adjourn. Keith seconded and the meeting ended shortly after 7:00pm