

**North Carolina Locksmith Licensing Board  
Meeting Minutes, Raleigh North Carolina  
11:30am, December 11, 2017**

Members Present: Phil Lanier, Jon Jeffries, Jennifer Richards, Rafe Rountree, Mike Williams, Steve Bright, Bill Harrell, Dennis Berwyn

Members w/ Excused Absent: Keith Throckmorton

Staff: Barden Culbreth, Anne Brown

Public: Randolph Cloud

**Call to Order:**

Phil called the meeting to order and recognized Randolph Cloud to address the Board.

Cloud spoke to the Board about history of the management company's relationship with the Board.

Phil recessed the meeting for lunch and Steve Bright said Grace.

**RECESS**

Phil called the meeting back to order and read the Ethics Awareness Statement. No conflicts or appearances of conflict were presented and the meeting continued.

**Approval of the Minutes:**

Steve Bright motioned to approve the meeting minutes from the previous meeting. Mike Williams seconded. Phil addressed the note at the bottom of the minutes. Barden stated he added it for clarity. The minutes were approved unanimously.

**Financial Report:**

Jennifer presented two items in the October statement related to board members of another board that received reimbursement checks. Barden stated this was an office error that had been corrected.

Mike motioned to approve the financial statements. Steve seconded and the report was approved.

**Discussion on Management Services:**

Jennifer asked about a phrase in the termination letter, specifically "multiple attempts" made by the Board office that later ran counter to the will of the Board.

Barden expressed his frustrations and outlined proposals for compensation for management services and for legal counsel, that have been brought before the Board but were rejected.

Phil stated that institutional locksmiths were supposed to provide the board with added revenue. The Board had not accounted for the added work for the office by grandfathering and requiring licensure for these locksmiths.

Jon stated the Board needed to find ways to raise money.

Barden provided a further explanation on the monies provided to the Board.

Bill asked the Board to consider the question on the floor.

Phil asked Jon if he had discussed a dollar amount with Barden prior to the meeting. Jon stated he had asked for a figure that would be acceptable for Randolph Cloud and Associates to return and re-negotiate contract.

Discussion followed.

Jon made the motion to offer Randolph Cloud and Associates \$50,000 per year for management services, Steve Bright seconded.

Discussion followed.

Phil called for a vote. The motion was unanimously approved.

Jennifer asked that the Board thoroughly examine the new management contract. Phil asked about that the new contract also include language about the possibility of the board being dissolved.

Dennis noted that the Board had not heard from Randolph Cloud and Associates.

#### **Discussion of Legal Counsel:**

Phil presented a proposal from Jeff Gray at Bailey and Dixon. Gray came highly recommended from several licensing boards. His proposed rate would be \$165/hr.

Dennis asked the Board members how their retainers are set.

Jennifer asked for specific needs from Legal Counsel. Barden provided an example of a case where he was still awaiting documents. Anne stated she was told by Phil to not proceed with legal work while the future management of the Board was in question.

Bill asked the Board keep discussion limited to the Bailey Dixon proposal.

Discussion followed.

Jon advised the Board to consider hiring a legal counsel on a yearly retainer.

Jennifer had questions about billing outside of retainer.

Discussion followed.

Anne reminded Board that she has always been available.

Phil brought the Board back to the discussion of the proposal Bailey and Dixon and that the use of private counsel was a stipulation of Randolph Cloud and Associates' continued management.

Dennis asked that the Board consider the structure of its upcoming votes.

Phil called the meeting to recess at 1:15pm.

Phil called the meeting back to order at 1:30pm.

Dennis reiterated his questions about votes, indicating there were several issues before the Board that would come in succession.

Jon asked if all members had read the proposal.

Dennis made the motion to approve the use of private legal counsel. Jon seconded.

Jennifer expressed her concerns about how to pay for the counsel.

Aye- 6, Nah - 0, Abstain - Steve Bright

Motioned carried.

Steve Bright asked that the Board office get retainer and non-retainer rates for both Bailey and Dixon and Young and Moore. Also, there was a question about item #9 in the Bailey and Dixon proposal.

#### **New Business:**

Barden recommended that the Board appoint an Ethics Chairperson to oversee cases. Dennis volunteered to serve in this capacity.

Discussion followed.

Anne stated that she has worked with other boards that use this Probable Cause member method.

Chairman appointed Dennis as a "Probable Cause" member to act as Ethics Chairman. Bill and Rafe were moved to Standards Committee.

Dennis asked the Board to appoint a committee to review raising the fees.

Phil asked the Board to consider future meeting dates.

#### **Adjourn:**

Steve motioned to adjourn, Mike seconded and the meeting ended.

Next meeting In Person on January 8th, 2018 in Burlington, North Carolina at the Golden Corral Restaurant.

