

MINUTES

**UTAH
Security Services Licensing Board
MEETING**

June 12, 2008

**Room 474 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:05 a.m.

ADJOURNED: 11:28 p.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Marci McGregor, Chairperson
Paul K Rothe
John McCoy

Board Members Absent:

Clayton Merchant
Sheriff Merrell
James Young

Guests:

Robert Anderton (PACSCo)
Royd Waters
Derick Johnson (CBI Security)
Amber Johnson
Londo Palomin (Peak Alarm)
Gary Hansen (Metro Protective Agency)
Kyle Dubois (Securitas)
Derrick Phillips (Cash Man Services)
Aaron Hoopes (Cash Man Services)
Kristy Kober (Pendum LLC)

DOPL Staff Present:

David Stanley, Division Director
Kent Barnes, Compliance
Wayne Holman, Chief Investigator

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

Due to a lack of a Quorum all Motions are Recommendations Only

ADMINISTRATIVE BUSINESS:

Minutes from the April 10, 2008

Due to a lack of a Quorum approval of the April 10, 2008 Board Meeting Minutes were, tabled until the August 14, 2008 meeting.

APPOINTMENTS:

9:00 a.m. Compliance

Mr. Barnes explained that the Division has updated the

“Confidential Probation Report”, which Board members complete after each probationary interview. He further explained that the Board Member conducting the interview must complete the “Board Recommendations” section of the form, noting if the probationer is or is not in compliance with their MOU (Memorandum of Understanding) or Stipulation and Order, and the date of the probationer’s next appointment.

9:15 a.m. Johnson, Derick

Prior to Mr. Johnson appearing for his scheduled probationary appointment, Mr. Barnes explained that at this time Mr. Johnson seemed to be in compliance with his MOU.

Mr. Johnson then appeared for his appointment; Mr. Ormond explained that at the April 10, 2008 meeting a motion had been made to release Mr. Johnson from his MOU. The Division later overturned the decision, based on the length of time Mr. Johnson had been on probation; Mr. Johnson was notified that he will be required to complete the remainder of his probation, without needing to meet the urinalyses requirement. Mr. Ormond then reminded Mr. Johnson, that he is still required to abstain from the use of alcohol, Mr. Johnson understood.

The Board then determined that Mr. Johnson is in compliance with his MOU, and requested to meet with him again on August 14, 2008 at 9:15 a.m.

9:30 a.m. Viliamu, Onolina

Prior to Ms. Viliamu appearing for her probationary appointment Mr. Barnes explained that at this time Ms. Viliamu, is not in compliance with her MOU, the determination is based on, only two “Employer Report” have been submitted since May 1, 2007, and Ms. Viliamu has not submitted proof of completion of her Plea in Abeyance.

Ms. Viliamu failed to appear for her scheduled appointment. After a brief discussion it was determined that Ms. Viliamu is not in compliance with her MOU, it was recommended to issue an Order to Show Cause.

9:45 a.m. Hansen, Gary

Prior to Mr. Hansen appearing for his first probationary appointment, Mr. Barnes explained that Mr. Hansen was placed on an MOU on April 21, 2008, due to a March 12, 2007, Criminal Mischief Involving Domestic Violence charge, which was held in abeyance for a period of twelve months, pending completion of a Domestic Violence and Cognitive Restructuring program.

Mr. Hansen then appeared for his scheduled appointment, after a brief discussion Mr. Hanson requested for his MOU

to be amended to allow him to work a maximum of sixty hours a week, the Board members present agreed to the amendment. Mr. Hansen then questioned if he could be issued a license if he applied for an Armed Private Security Officers license. After a brief discussion it was determined that Title 18 USC 44 Sec 922 would need to be reviewed prior to the Division issuing an Armed license to Mr. Hansen due to his criminal history.

The Board determined that Mr. Hansen is in compliance with his MOU and will meet again with them on August 14, 2008 at 9:45 a.m.

10:00 a.m. Palomin, Londo

Prior to Mr. Palomin appearing for his first probationary appointment, Mr. Barnes explained that Mr. Palomin was placed on an MOU on May 22, 2008, due to an October 15, 2007, Prescription Drug Related Reckless Driving charge, a Class A Misdemeanor.

Mr. Palomin appeared for his first probationary interview, he then explained that he still takes prescription pain killers for a back injury. Mr. Barnes reminded Mr. Palomin that a copy of all prescriptions must be submitted to the Division; Mr. Palomin agreed to submit the requested information.

It was then determined that Mr. Palomin is in compliance with his MOU, and will meet again with the Board on August 14, 2008 at 10:00 a.m.

10:30 a.m. Dubois, Kyle

Prior to Mr. Dubois appearing for his scheduled probationary appointment with the Board, Mr. Barnes explained that at this time Mr. Dubois is not in compliance with his MOU, based on Mr. Dubois failing a random urinalyses test on May 22, 2008.

Mr. Dubois appeared for his scheduled probationary appointment, Mr. McCoy questioned Mr. Dubois regarding his failed urinalysis test; Mr. Dubois explained that he did not understand why he was being tested for alcohol when his probationary status is based on abuse of prescription drugs. Ms. McGregor explained that alcohol is the most widely abused drug, and Mr. Ormond reminded Mr. Dubois that his MOU requires that he abstain from the use of all drugs, including alcohol.

Mr. Dubois then requested to have his MOU amended, to only be urinalyses tested on prescription drugs, the Board denied Mr. Dubois's request. Ms. McGregor then suggested that if Mr. Dubois wished to continue to consume alcohol he could surrender his license as an Unarmed Security Officer.

The Board then determined that Mr. Dubois is not in compliance with his MOU, and a non-compliance letter will be sent to Mr. Dubois, based on his failed urinalyses test and if the situation arises again further action may be taken. Mr. Barnes then reminded Mr. Dubois that due to the failed test he will now be tested on a more frequent basis, Mr. Dubois understood.

Mr. Dubois will meet again with the Board on August 14, 2008 at 9:30 a.m.

10:45 a.m. Cash Man Services, LLC – QA Phillips, Derrick

Mr. Phillips and Mr. Hoopes appeared for their scheduled appointment with the Board. Mr. Ormond then explained that a Citation was issued to Cash Man Services, LLC in April 2008 for working without appropriate licensure, adding that due to all requirements for the citation being met this does not affect approval for licensure at this time.

It was then recommended that Mr. Phillips should be approved as the Qualifying Agent for Cash Man Services, LLC contingent upon passing the appropriate exam and submitting proof of “General Liability Insurance” with the appropriate exposures.

11:00 a.m. Pendum, LLC – QA Kober, Kristy

Ms. Kober appeared for her scheduled appointment. Mr. Ormond explained that Bantek West Inc, was purchased by Pendum, LLC, Ms. Kober is applying to be the Qualifying Agent for Pendum, LLC.

After a brief discussion the Board recommended approval of Ms. Kober as Pendum, LLC’s Qualifying Agent contingent upon proof of clear criminal history for all officers of Pendum, LLC.

DISCUSSION ITEMS:

Temporary Licensure/Armored Car Qualifying Agent Exam

Mr. Ormond explained that an expert group will be compiled, to help write the Armored Car Qualifying Agent Exam.

Mr. Ormond explained that the Division will be changing the procedure for licensure for Armored Car Officers. If a licensee meets all requirements for licensure, and their fingerprints are rolled by the Division, the licensee will receive an OJT (On the Job) training letter and their permanent license only, the Temporary license will no longer be issued.

Licensures for Contract Security Officers will remain the same, based on most companies are not submitting proof of meeting all requirements of R156-63-603, prior to licensure. Mr. Ormond then suggested the procedure could be changed in the future to emulate Armored Car licensure.

Mr. Ormond then explained that the Division currently has sufficient funds to send himself and one of the Board members to the IASER (International Association of Security and Investigative Regulators) conference in Orlando, Florida, on November 5th through 7th 2008. Mr. Ormond then explained that the conference agenda will be reviewed to insure that it will be beneficial to attend.

After a brief discussion it was recommended that the new Chairperson, Mr. Ormond, and Mr. Meservy will attend the conference, contingent upon Board approval.

IBI Secured Transport – Training Program
Approval

Mr. Ormond explained that at the April 17, 2008 Contract Security Education Advisory Peer Committee meeting, IBI Secured Transport’s Training Program was reviewed. The Committee had determined that contingent upon some minor corrections, and approval by the Contract Security Board, the Training Program meets the requirements of R156-63-603 and 604.

After a brief discussion it was recommended to approve IBI Secured Transport’s Training Program, the recommendation carried unanimously.

ADJOURN:

11:28 p.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

October 30, 2008
Date Approved

(ss) Johnny McCoy
Chairperson, Security Services Licensing Board

November 3, 2008
Date Approved

(ss) Clyde Ormond
Bureau Manager, Division of Occupational & Professional
Licensing
