

# MINUTES

## UTAH Security Services Licensing Board MEETING

August 14, 2008

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

**CONVENED:** 9:00 a.m.

**ADJOURNED:** 2:19 p.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Jacky Adams

**Board Members Present:**

Clayton Merchant – Acting Chairperson  
Paul K Rothe  
Sheriff Merrell

**Board Members Absent:**

John McCoy

**Guests:**

Robert Anderton (PACSCo / CBI Security)  
Michael Paul Adams (SOS)  
Bob Peck (Pecks Security)  
Perry Rose (Pride Security)  
Tina Hansen (Garda Security)  
Michael Slaughter (Shriners Hospital)  
Aaron Theriault (Metro Protective Agency)  
Jeremy Lee (Allied Barton)  
Mark Smith (Allied Barton)  
Dick Fisher (Peak Alarm)  
Jeffrey Rahter (SPS)  
Chad Smith (IBI Secured Transport)  
Layne Anderson (Wackenhut)  
Kristy Kober (Pendum)  
Arlen Kingston (AAA Security)  
Derick Johnson (CBI)  
Amber Johnson  
Ben Hymas (CBI)  
RaeAnn Laycock (CBI)  
Brian Grob  
Mark Youngkeit (CBI)

**DOPL Staff Present:**

David Stanley, Division Director

Dennis Meservy, Bureau Manager  
Kent Barnes, Compliance Supervisor  
Ronda Trujillo, Compliance  
Steve Eklund, Administrative Law Judge

**TOPICS FOR DISCUSSION**

**DECISIONS AND RECOMMENDATIONS**

**Due to a lack of a Quorum all motions are Recommendations Only.**

**ADMINISTRATIVE BUSINESS:**

Appointment of 2008 Chairperson

Due to a lack of a Quorum this issue was tabled until the November 6, 2008 meeting.

Open & Public Meeting PowerPoint

Mr. Ormond conducted the Open & Public Meetings PowerPoint presentation. No further discussion ensued.

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 November 6, 2008 meeting.

Minutes from the June 12, 2008

Due to a lack of a Quorum approval of the June 12, 2008 Board Meeting Minutes were, tabled until the November 6, 2008 meeting.

**HEARINGS:**

9:15 a.m.  
Rules Hearing R156-63a & R156-63b

Judge Eklund conducted the Rules Hearing.

Due to minor corrections needing to be made to both R156-63a and R156-63b, this rule should take affect by the end of November 2008.

**APPOINTMENTS:**

10:30 a.m. Compliance

Ms. Trujillo reviewed the updated "Probation Tracking" forms, explaining that after some recommendations, from other Boards the form has again been revised. Ms. Trujillo then reminded the Board to complete all portions of the form prior to finalizing an interview.

10:45 a.m. Johnson, Derick

Ms. Trujillo explained that Mr. Johnson is currently in compliance with his MOU (Memorandum of Understanding).

Mr. Johnson appeared for his probation interview,

with the Board. After a brief discussion it was determined that Mr. Johnson is in compliance with his MOU, and will meet again with the Board on November 6, 2008 at 9:15 a.m.

11:15 a.m. Hansen, Gary

Ms. Trujillo explained that Mr. Hansen is currently in compliance with his MOU. Ms. Trujillo then requested that the Board ensure that Mr. Hansen is only working under Immediate Supervision.

Mr. Hansen contacted the Division prior to his appointment explaining that there was a family emergency and he would be unable to keep his appointment. The Board excused Mr. Hansen, and requested that he meet again on November 6, 2008 at 10:00 a.m.

11:30 a.m. Palomin, Londo

Ms. Trujillo explained that Mr. Palomin is currently not in compliance with his MOU, due to his failure to become registered with Compass Vision prior to July 1, 2008, submit monthly employer reports, and his failure to submit documentation of any prescriptions he is currently taking.

Ms. Adams advised the Board that Mr. Palomin had contacted the Division on August 13<sup>th</sup>, and requested to be excused from this appointment due to being at a family reunion. Ms. Adams reminded Mr. Palomin that he is required to attend all scheduled appointments with the Board, Mr. Palomin's request was denied.

Mr. Palomin failed to appear for his scheduled appointment with the Board. Ms. Trujillo will issue a non-compliance letter to Mr. Palomin, requiring him to submit all missing documentation as required by his MOU, and to meet with the Board on November 6, 2008 at 10:15 a.m.

11:45 a.m. Hymas, Benjamin

Ms. Trujillo explained that this is Mr. Hymas's first probation interview. Mr. Hymas has been placed on a two-year probation, which requires him to meet with the board on a quarterly basis, only work under immediate supervision, comply with all criminal sanctions, and submit documentation of completion of criminal sanctions.

Mr. Hymas appeared for his first probation interview

with the Board. He explained that he had pled guilty to one count of criminal mischief, a third degree felony, on October 30, 2002, which was later reduced to a class B misdemeanor. Mr. Hymas further explained that he has begun the expungement process, and is currently working to obtain a Criminal Justice degree from Salt Lake Community College.

It was determined that Mr. Hymas is in compliance with this MOU, and will meet again with the Board on November 6, 2008 at 9:30 a.m.

12:00 p.m. Laycock, RaeAnn

Ms. Laycock appeared for her scheduled appointment with the Board to review her application for licensure as an Unarmed Private Security Officer, as it relates to a May 23, 2000 Aggravated Assault, a third degree felony, to which Ms. Laycock entered into a Diversion agreement, which was later dismissed on December 8, 2000.

After a detailed discussion Sheriff Merrell recommended issuing licensure as an Unarmed Private Security Officer, to Ms. Laycock with no restrictions, due to the length of time since the charge occurred, the remainder of the Board concurred.

1:15 p.m. Grob, Brian

Mr. Grob appeared for his scheduled appointment with the Board to review his application for licensure as it relates to the revocation of his Peace Officer Certification. Mr. Merchant reviewed the application and explained that Mr. Grob's Peace Officer Certification was revoked on June 9, 2008 due to a violation of the Law Enforcement Code of Ethics.

Mr. Grob admitted that he had failed to accurately disclose an eight-year old, potential felony charge, when he applied for his Peace Officer Certification, in 2005. He explained that to "re-establish his integrity" he disclosed the issue to his superior. During the ensuing investigation Mr. Grob, then disclosed several other instances of on-duty misconduct.

After a detailed discussion Mr. Rothe recommended issuing Mr. Grob a two-year probationary license, requiring him to meet with the Board on a quarterly basis, he may only work under immediate Supervision, and must submit quarterly employer reports, Sheriff

Merrill and Mr. Merchant agreed with the recommendation.

1:30 p.m. Youngkeit, Mark

Mr. Youngkeit appeared for his scheduled appointment with the Board to review his application for licensure as an Unarmed Private Security Officer, as it relates to his criminal history. Mr. Youngkeit was convicted of Disorderly Conduct, a class B misdemeanor, on January 28, 2006, which was held in abeyance and was later dismissed on May 15, 2008. He also pleaded guilty to a Criminal Mischief charge, on May 4, 2006, which was later completed on March 19, 2007.

After a detailed discussion Sheriff Merrell recommended denying Mr. Youngkeit's application for licensure as an Unarmed Private Security Officer, due to the length of time since the charges occurred, and entering into a "plea in abeyance" agreement being a violation of 58-1-501 (2) (c), the remainder of the Board agreed with the recommendation.

1:45 p.m. Ramos, Jose

Mr. Ramos appeared with his granddaughter, as his interpreter, for his scheduled appointment with the Board, to review his application for licensure as an Unarmed Private Security Officer, as it relates to his criminal history. Mr. Ramos was convicted of DUI which was reduced to Reckless Alcohol/Drug Related, a class B misdemeanor, on June 25, 2008.

After a detailed review and discussion Sheriff Merrell recommended denying Mr. Ramos's application for licensure due to the length of time since the charges occurred, and due the charge having occurred while he was on-duty with his previous employer, the remainder of the Board agreed with the recommendation.

#### **DISCUSSION ITEMS:**

Updated On-The-Job Training Form

Mr. Ormond explained that due to the changes in the Security Personnel Licensing Act (58-63) the Division has determined to begin issuing separate OJT's (On-the-Job Training) to, Contact Security and Armored Car.

The Board reviewed the forms, with no further action

### Temporary Licensure – Procedure

taken.

Mr. Ormond explained that the Division will be changing the procedure for licensure for all Contract and Armored Car Officers. If a licensee meets all requirements for licensure, including twenty-four hours of basic education and their fingerprints have been rolled by the Division, the licensee will receive an OJT letter and their permanent license, a Temporary license will no longer be issued. Any Officer who does not meet the new requirements, the procedure will remain the same.

### IASIR Meeting – November 5<sup>th</sup> through 7<sup>th</sup>, 2008

Due to a lack of a Quorum this issue was not discussed.

### General Liability Insurance – Exposures

The Division had been made aware, by the Division of Insurance, that Professional Liability Coverage carries essentially the same coverage as Errors and Omissions.

Mr. Ormond then explained that a letter was sent to each company, who has allowed their General Liability Insurance coverage to expire. Each company has been given thirty days to supply the appropriate Certificate of General Liability Insurance, with all exposures; failure to comply with the request could result in the Company being turned over to Investigations.

### Approval of Centurion Security's – 16- hour Additional Basic Training Program

Mr. Ormond explained that Centurion Security submitted an "Additional 16-hour" training program for approval by the Contract Security Education Advisory Committee and the Board.

After a brief review Mr. Rothe recommended approving the "Additional 16-hour" training program, Sheriff Merrell concurred.

### Contract Security Qualifying Agent Exam Results

Mr. Ormond explained that since the testing agency (PSI) began administering the Contract Security Qualifying Agent Examination in April 2008, there have been twelve individuals, who have taken the exam a total of twenty-four times, however there have only been two individuals who have passed the exam.

Mr. Anderton explained that he felt that if he had

studied he may have obtained a passing score. Mr. Rothe was of the opinion that the exam should be rewritten, due to the exams difficulty to pass.

Mr. Barnes explained that Division wide the pass rate for all exams is about 60%, he suggested watching the exam results and making changes to the exam if the pass rate does not increase in about eighteen months. Mr. Ormond agreed adding that once the profession is made aware that the exam is more difficult, than past exams, they will be more prepared for the exam and, if they pass the exam, for running a reputable company.

It was then recommended to being an updated exam report to each meeting for review, the Division agreed to the recommendation.

November Board Meeting Date

All Contract Security Training Programs are due for renewal on November 30, 2008. A letter was sent to each currently approved training program and each Armored Car Company reminding them of the upcoming renewal. The Contract Security Education Advisory Committee will meet on October 16, 2008 for the initial review, if approved the programs will be forwarded to the Board for final approval on November 6, 2008.

**ADJOURN:**

2:19 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

(ss) Johnny McCoy

Date Approved

Chairperson, Security Services Licensing Board

November 3, 2008

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing