

MINUTES

**UTAH
Security Services Licensing Board
MEETING**

October 21, 2010

**Room 210 – 4th Floor – 9:00 a.m.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:13

ADJOURNED: 4:16

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams
Yvonne King
Neena Bowen

Board Members Present:

Chief Johnny McCoy - Chairperson
Clayton Merchant
Alan Conner

Board Members Absent:

Sheriff Jeff Merrill
Perry Rose
Kristy Kober

Guests:

Robert Anderton - PACSCo (Professional Alliance of
Contract Security Companies)
Russell Shinrock - Securitas Security
Jairus Duncan - Garda/TIBA
Steve Peterson - Allied Barton
Nick Blondette - Allied Barton
Kirk Waldron - Allied Barton
Robert McIff - Peak Alarm
Tina Hanson - Andrews International
Mark Mortensen - CBI Security
Kelsee Web - Pride
Brian Grob - Nuskin Security
Jonathan Jacobs Meyer -
Joshua Kone - Peak Alarm
Larry Jones - Metro Security
Madeline Hayes - Peak Alarm
Charles Fonger - All Phase Security
Gary Oliverson - Go Security Network
Kory Newbold - Go Security Network
Anthony Santos
Robert Allen - Allegiance Security Group
Mike Jackson - ABM Security

Shane Fokken - ABM Security
Michael Gunn - Davis Security

DOPL Staff Present:

Susan Higgs, Compliance
Ronda Trujillo, Compliance

Thanks to Jacky Adams

The DOPL Staff, Board and Associations expressed thanks and gratitude to Ms. Adams for her dedication and hard work as their Board Secretary for the last several years. This was Ms. Adams last day.

Introduction of New Board Secretaries

Mr. Ormond introduced Yvonne King and later introduced Nina Bowen as the two new Board Secretaries coming on board with Ms Adams departure.

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of the August 12, 2010 Board Meeting Minutes

Due to the absence of three Board Members, there were not enough members for a quorum to approve the August 12, 2010 Minutes. The Minutes will be approved at the next Board Meeting scheduled December 9, 2010.

APPOINTMENTS

9:15 am R156-63a-Amendments Discussion

Mr. Ormond presented proposed rule changes/additions and deletions which included:

R156-63a-302a: Mr. Ormond stated with the passing of SB 81, there would be a new requirements which will include a copy of a drivers license by a state of the United States and the Identification Card by a state of the United States or District of Columbia.

R156-63a-307; This section consists of the On the Job Training (OJT) which would be deleted.

R156-63a-302g; Adding the immediate issuance of an Interim Permit. This would be similar to the OJT.

R156-63a-201c; This section includes changes to The Education Advisory Committee which would require a member who is a trainer associated with the Utah Peace Officers Association.

R156-63a-304; This section includes changes to the continuing education for Armed and Unarmed Private Security Officers as a condition of renewal

R156-63a-602; This section includes changes to the approved Basic Training Program for Armed and Unarmed Private Security Officers.

R156-63a-603; This section includes Changes to the content of approved Basic Education Training Program for Armed and Unarmed Private Security Officers.

R156-63a-610; This section includes changes to the operating standards of security vehicles which included the use and operation of auxiliary lamps, sirens, signs and logos that would not suggest a connection with law enforcement.

The Board requested that Mr. Ormond check with investigations on the amount of feet that would be considered reasonable distance for a Security Car's markings to be legible. It was also suggested by the Board to include amber, green and clear lights or the combination there of and include lights flashing front and back of the security car.

Chief McCoy suggested letting the associations take leadership on decisions with respect to the type of logo the security companies would use. Mr. Ormond suggested putting this portion of the proposed rules on hold for now and obtain input from the Sheriff's and Chief's Association.

10:15 am Compliance - Susan Higgs

Ms. Higgs provided a probationary report for the Board to review. She indicated that all the probationers are in compliance. Ms. Higgs also stated that Brian Grob and Spence Wagner are not working in the field but have submitted all required paper work in a timely manner.

Ms. Higgs indicated that if a probationer expires, it is a violation of their probation and would have to come back before the Board. Mr. Ormond stated he would look into the statute/rule and report back to the Board on that issue.

Mr. Ormond suggested that if a probationer is in compliance to not have them meet with the Board at every scheduled meeting unless there are special circumstances. The board appeared to be in agreement with that. This suggestion will be followed up at the next Board Meeting scheduled December 9, 2010.

10:30 am Brian Grob

Mr. Grob appeared for his scheduled probationary appointment. Mr. Connor asked Mr. Grob if he was now working in the field. Mr. Grob stated he was working as in house security (proprietary). Ms. Higgs asked if the supervisor was licensed. Mr. Grob stated that his employer was not and was aware of his probationary status.

The Board had questioned his employment because this was not with a licensed security company and whether this

would impact on his probationary status.

The Board suggested Ms. Higgs confer with the Compliance Unit to determine if this was acceptable and get a clear interpretation.

Mr. Conner suggested Mr. Grob keep up with all the reports and stay in close contact with Ms. Higgs.

Mr. Grob is in compliance with his MOU and if employment is accepted, the Board could accept six more months towards his probation. Mr. Grob is required to meet at the next Board Meeting scheduled December 9, 2010.

10:45 am Kelsee Webb

Ms. Webb appeared for her probationary appointment before the board. Mr. Connor conducted the interview.

Ms. Webb stated she is still working in the field with the same company and has not missed a single day of calling in for drug testing. Ms. Webb presented some prescriptions and was told to get a prescription verification.

Ms. Webb is compliant with her MOU and is required to meet with the Board December 9, 2010.

11:00 am Mark Mortensen

Mr. Mortensen appeared for his probationary appointment before the board. Mr. Conner conducted the interview.

Mr. Mortensen indicated that he is still working in the field with the same position, seeing a doctor and all reports are current.

Mr. Mortensen is in compliance with his MOU and is due to come off probation in March. Mr. Mortensen is required to meet with the board in the February 2011.

11:15 am Jonathan Jacobsmeyer

Mr. Jacobsmeyer appeared for his probationary appointment before the Board. Mr. Tinsley conducted the interview.

Mr. Jacobsmeyer indicated that all information was the same and employer reports were current. Mr. Jacobsmeyer was reminded that his next employer reports are due November 1, 2010.

Mr. Jacobsmeyer is compliant with his MOU and is required to meet with the Board December 9, 2010.

11:45 am Joshua Kone

Mr. Kone appeared for his probationary appointment before the Board. Mr. Conner conducted the interview.

Mr. Kone is currently employed by Peak Alarm. Mr. Kone

has been on probation since February 2010. Ms. Higgs indicated that all reports were current and suggested putting him on quarterly reports. Chief McCoy suggested seeing him at the next Board Meeting scheduled December 9, 2010 before making that decision.

Mr. Kone is compliant with his MOU and is scheduled to meet with the Board December 9, 2010.

12:00 am Larry Jones

Mr. Jones appeared for his probationary appointment before the Board. Mr. Tinsley conducted the interview. This was Mr. Jones first interview.

Mr. Tinsley asked Mr. Jones if all information was current and he answered yes.

Mr. Jones explained the circumstances of his conviction where he was charged with criminal mischief. Mr. Jones is licensed as an Unarmed Security Officer but requested to see if he could be licensed as an Armed Security Officer. Mr. Jones indicated that his employer was given a copy of the MOU.

Chief McCoy stated that the Board is not prepared to render a decision on that matter until they see if Mr. Jones falls within the guidelines. The Board would also need a full quorum. Chief McCoy also stated that Mr. Jones would need to complete an application and then the Board would consider it as long as the charge would not prevent him from carrying a fire arm.

Mr. Jones asked in the event he was approved as an Armed Security Guard if he would be required to have immediate supervision because the supervisor is not located in the same facility. Mr. Jones' MOU indicated indirect supervision requires the supervisor to be in the same facility. Mr. Jones stated that he did not know that. Chief McCoy stated that this could make him non-compliant. The board stated that Mr. Jones would need to review what he has agreed to.

Chief McCoy went on record to state that he himself did not fully understand the definition of indirect supervision. No action will be taken at this time for Mr. Jones to go from indirect to general supervision and his supervisor would need to comply in the event the board does not relax the indirect supervision criteria

Mr Jones is considered noncompliant with his MOU. Mr. Jones will need to meet with the board December 9, 2010. Mr. Jones will also need to stay in close contact with Ms. Higgs. A Noncompliant letter will be sent to Mr. Jones.

12:15 pm David Gregg

Mr. Gregg appeared for his probationary appointment before the board. This is Mr. Gregg's first interview. Mr. Connor conducted the interview.

Mr. Gregg stated he would be working for Securitas Security. Mr. Gregg also stated that he signed the MOU that day and understood the definition of indirect supervision. Mr. Gregg also stated that he does not have an on-site supervisor.

Mr. Gregg stated that the warrant that put him on probation was domestic violence which he entered into a plea and abeyance.

The Board noted that the date on Mr. Gregg's MOU was dated was 08/30/2010 and Mr. Gregg should know about the indirect supervision. Chief McCoy stated that Mr. Gregg needs to know and understand his MOU and be completed honest with the Board.

Mr. Gregg is non-compliant with his MOU. A letter of non-compliance will be sent to him. Mr. Gregg is required to meet with the Board December 9, 2010.

12:30 pm Michael Sornson

Mr. Sornson did not make his appointment before the Board.

1:00 pm Robert McIff

Mr. McIff appeared for his probationary appointment before the Board. This was Mr. McIff's first interview. Mr. Conner conducted the interview.

Mr. McIff is currently working for Peak Alarm and stated that everything is current. Mr. McIff stated he had a Class B Misdemeanor for phone harassment which was a Plea and Abeyance in the beginning of 2009. Mr. McIff stated he has completed 15 hours of domestic violence.

Mr. McIff's MOU states indirect supervision. Mr. McIff's supervisor has not been in the facility.

Mr. McIff is non-compliant with his MOU because his supervisor has not been in the facility and is required to meet with the Board December 9, 2010. His supervisor will also be put on notice.

Lunch 1:05 pm to 2:00 pm

2:00 pm Madeline Hayes

Ms. Hayes appeared for her probationary appointment. This was Ms. Hayes first interview. Mr. Tinsley performed the interview.

Ms. Hayes explained the details of her charges. Ms. Hayes stated she was terminated off probation when she turned 18. Ms. Hayes also stated that her current employer is Peak Alarm. She was asked if she understood what indirect supervision was and she answered yes. The Board reminded Ms. Hayes that she would need to report to Ms. Higgs and employer reports are due at the beginning of the month.

Ms. Hayes is in compliance with her MOU. She is scheduled to meet with the board December 9, 2010.

2:15 pm Anthony Santos

Mr. Santos appeared for his appointment with the Board. Mr. Santos had applied for an Armed Security Officer license and has a criminal history. Mr. Santos had a previous charge of Marijuana. He had completed eight hours of Basic Training. Mr. Santos stated he had talked with Chapman Security and they were willing to hire him.

The Board recommended Mr. Santos be issued a probationary license for two years with general supervision, no drug testing and attend the first three Board Meetings.

Mr. Ormond stated he will write up an MOU and send it in the mail with a cover letter. Mr. Santos will probably meet with the Board in December 9, 2010.

2:30 pm Charles Fonger

Mr. Fonger appeared for his appointment before the Board. Mr. Ormond gave a brief history of Mr. Fonger.

Mr. Fonger was previously licensed and voluntarily surrendered his license. Mr. Fonger agreed to not reapply for licensure for five years. After approximately two years, Mr. Fonger had requested his license be reinstated. Mr. Fonger stated that he needs employment because his wife was expecting a baby. Mr. Fonger also indicated that he was licensed in California and completed a training curriculum.

The Board reminded Mr. Fonger that he must honor the agreement he signed and this would need to be deferred until December 9, 2010 because there is no quorum and as of now nothing had changed.

2:45 pm Glenn Clark

Mr. Clark had canceled his appointment with the Board. Mr. Ormond reviewed his application and stated Mr. Clark had applied for licensure as an Unarmed Security Officer but had a criminal record which included two DUI's since 2008. The court case was still pending on his DUI in 2010.

Mr. Ormond stated he would do a conditional license

3:00 pm Go Security
QA Kory Newbold

depending on the outcome of the 2010 court case.

Mr. Newbold appeared for his appointment before the Board. Mr. Newbold's application was previously reviewed August 12, 2010 where he had applied as qualifying agent for Go Security. Mr. Newbold had answered yes to the qualifying questionnaire regarding a criminal action pending which was a single DUI. The Board's action was to table the decision pending the outcome of the court's decision on his DUI. It was noted that this is still pending.

Mr. Ormond suggested giving a conditional license to Go Security using Kory Newbold as the companies' QA pending the outcome of the legal advice and post review. Chief McCoy was in agreement of that. Mr. Ormond stated that he would issue a conditional license by next week.

3:15 pm Allegiance Security Group
QA Robert Allen

Mr. Allen came before the board to determine if he meets the qualifications for QA for Allegiance Security Group who recently lost their qualifier. Mr. Allen had passed the exams, submitted a resume and documentation on his experience.

The board asked Mr. Allen if he knew the difference between direct, indirect and general supervision. Mr. Allen did not know the correct definition of indirect supervision. There was a question on the hours/dates of employment and negative responses on some employer verifications but after adding the total hours and a careful review, the Board was satisfied with the documentation.

Mr. Tinsley recommended Mr. Allen be the Qualified Agent for Allegiance Security Group.

3:30 Davis Security Serv
QA Michael Gunn

Mr. Gunn appeared for his appointment before the Board. Mr. Gunn had applied for QA for Davis Security who had lost their qualifier. The Board questioned if there was a conflict of interest because Mr. Gunn had admitted to being the owner for Metro Security. Mr. Gunn stated there would be no conflict of interest.

Mr. Conner recommended that Mr. Gunn be authorized to be the QA for Davis Security. Mr. Ormond stated that this will be done the first part of the next week.

3:45 ABM Secutiy Services
QA Michael Jackson

Mr. Jackson appeared for his appointment before the Board. Mr. Jackson has applied for QA for ABM Security Services who has lost its QA.

After a review for Mr. Jackson's application, Mr. Tinsley recommended Mr. Jackson be the QA for ABM Security.

Mr. Ormond stated this will be done the first part of next week.

DISCUSSION ITEMS:- Correspondence

1.National Practitioners' Data Base

Mr. Ormond stated that if a licensee works for a health facility and there is disciplinary action taken against the licensee, then the Bureau is required to report the discipline to the National Practitioner Data Base. This is also referred to as (HIPDB) Health Integrity Protection Data Base.

Mr. Ormond requested the Ms Higgs find out how far the umbrella of discipline would go if it would include the individual and the company.

2.Request for Exemption From 24 hour Training Requirement

Mr. Ormond explained that Contemporary Services hires on a temporary basis for special events. Contemporary Services would like to have the requirements for training shortened from 24 hours to 16 hours.

The Board indicated that they do want Contemporary Services requirement for 24 hours shortened. Mr. Ormond stated that he would write back on this issue due to the unfairness of the lesser hours.

3.Virtual Reality Gun Range - Training

Mr. Ormond reviewed the Virtual Reality Gun Range Training.

The Board noted that this would be a great training tool but unacceptable for qualifying due to the fact that it does not replace the actual fire arm. Chief McCoy suggested Mr. Ormond take action on it.

It appears that this was addressed in the August 13, 2009 Board Meeting and voted down.

Iaser

Mr. Ormond discussed International Association of Security and Investigative Regulators (IASIR) conference will be coming up soon.

Civilians Tapped for Police

Discussed

In-direct Supervision

The Board needed to know how many probationers are required to comply with indirect supervision as part of their probation? And whether they understand the definition of the type of supervision they are under. Chief McCoy made it very clear that we all need to be very aware of what these types of supervision mean.

The Board recommended bringing the employers on board so they understand the conditions the MOU and definitions of each type of supervision. It was also noted that the

QA's need to be sent a letter to that fact. Mr. Ormond stated a letter would be sent out to the QA's.

ADJOURN:

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.

Date Approved, December 9, 2010 (ss) Sheriff Jeff Merrill
Acting Chairperson, Security Services Licensing Board

Date Approved, December 9, 2010 (ss) Clyde Ormond
Bureau Manager, Division of Occupational & Professional
Licensing