

## MINUTES

**UTAH  
ALARM SYSTEMS SECURITY LICENSING BOARD  
MEETING  
January 3, 2013,  
Room 475 – 4<sup>th</sup> Floor – 9:00 a.m.  
Heber Wells Building  
Salt Lake City, UT 84111**

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

**ADJOURNED:** 10:23 a.m.

**Bureau Manager:**

April Ellis - Bureau Manager

**Board Secretary:**

Yvonne King

**Board Members Present:**

William La Rochelle: Acting Chair  
Larry Gillett  
Sandra Henderson

**Board Members Absent:**

Scott Sessions, Chair

**Guests:**

Glade Thompson  
T. J. Ogilvie, Vantage Voltage, LLC  
Mark Conti,  
Ben Nielsen, Applicant  
Brighton Layton, Applicant

**DOPL Staff Present:**

Susan Higgs, Compliance  
Mark Steinagel, Division Director

### **ADMINISTRATIVE BUSINESS:**

Approval of the November 1, 2012 Board Meeting Minutes

Mr. Gillett, seconded by Ms. Henderson, made a motion to approved the November 1, 2012 Board Meeting Minutes as written. The motion carried unanimously.

### **TOPICS FOR DISCUSSION**

Board Survey

### **DECISIONS AND RECOMMENDATIONS**

Ms. Ellis presented a survey concerning disciplinary actions for the Board to review. Ms. Ellis stated that she would need a motion on the survey.

The survey gave three options to choose from, option (1.), to allow the search to be found through DOPL's

web-site, option (2.), to allow the search to be on a public web-site, or option (3.), other.

Ms. Henderson, seconded by Mr. Gillett, made a motion to approve option number 1.

#### Unprofessional Conduct

Ms. Ellis stated that DOPL would like to propose a rule change due to issues with agents making deceptive claims of where they are working and offering an upgrade of an existing system. The agent is actually writing up a new contract with a different company. The consumer then ends up paying for two contracts.

Ms. Ellis stated that she has not drafted any language yet but wanted to obtain feedback from the Board.

Mr. Steinagel recommended inviting someone from Consumer Protection to appear before the next scheduled Board Meeting to review the "Consumer Sales Practice Act", before drafting any new rules. This will be an agenda item for March's Board meeting.

#### Investigative Report

David Furlong, Chief Investigator of Investigations, was unable to appear before the Board to give a report. It was noted by the Board to invite him to the next meeting.

#### Richard Ruiz; Notice of Agency Action

Ms. Ellis stated that because Mr. Ruiz has not responded to the Notice of Agency Action, he will be brought before the Constructions Services Commission as a default order.

### **APPOINTMENTS**

#### Compliance: Susan Higgs

Ms. Higgs reviewed the compliance report with the Board.

#### Clinton Rader

Mr. Rader appeared before the Board for his scheduled probationary appointment per phone interview.

Mr. Gillett conducted the interview. Ms. Higgs stated that because Mr. Rader was missing September and December's employer reports, he was considered non-compliant. Mr. Rader stated

that he thought the employer reports were turned in.

Mr. Gillett, seconded by Ms. Henderson, made a motion to release Mr. Rader off probation on his release date of February 23, 2013, only after Mr. Rader submits all overdue employer reports to the Compliance Unit. The motion carried unanimously.

Mark Conti

Mr. Conti appeared before the Board for his first probationary interview. Ms. Henderson conducted the interview. Mr. Conti stated that he did not receive pay for work he did for a Burglar Alarm company however after checking the name, it appeared that company was not licensed with the Division. The Board then reminded Mr. Conti that he must be employed by a licensed company in order to have time counted towards his probation.

Mr. Conti stated that he is currently not working in the field.

Jonathan Fielding

Mr. Fielding did not appear before the Board for his scheduled appointment. It appears that Mr. fielding is not living in Utah and does not want to pursue his license at this time. It was suggested to have him surrender his license.

Darin Ivison

Mr. Ivison did not appear before the Board for his scheduled probationary appointment. This was the second time he did not show up for his appointment.

The Board suggested initiating an Order to Show Cause.

Bayli Shelton

Ms. Shelton did not appear before the Board for her scheduled appointment however Ms. Shelton did call and stated she did not want to pursue her license.

Ms. Ellis reviewed her application which included a criminal history.

Ms. Henderson, seconded by Mr. Gillett, made a motion to deny licensure to Ms. Shelton as a

Burglar Alarm Company Agent. The motion carried unanimously.

Ryan Hart

Mr. Hart did not appear before the Board for his scheduled appointment. Ms. Ellis reviewed his application which included criminal charges.

Mr. Gillett, seconded by Ms. Henderson, made a motion to deny Mr. Hart licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

Benjamin Nielsen

Mr. Nielsen appeared before the Board for his scheduled interview.

Ms. Ellis reviewed his application with the Board which included a criminal record.

Mr. Nielsen explained the circumstances that led to his conviction.

Mr. Gillett, seconded by Ms. Henderson, made a motion to deny Mr. Nielsen licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

The Board suggested Mr. Nielsen reapply within nine months to a year. The Board would then reconsider his application for licensure.

Brighton Layton

Mr. Layton appeared before the Board for his scheduled appointment. Ms. Ellis reviewed his application.

Mr. Layton explained the circumstances that led to his charges.

Mr. Gillett seconded by Ms. Henderson, made a motion to deny Mr. Layton licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

Mr. Gillett, seconded by Mr. Henderson, made a motion to withdraw the previous motion to deny. The motion carried unanimously.

A decision will be tabled, pending the outcome of the criminal case.

**ADJOURN:** 10:20 a.m.

Next Scheduled Meeting March 7, 2013

*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.*

March 7, 2013	William La Rochelle: Acting Chair
Date Approved	Chairperson,

March 7, 2013	April Ellis
Date Approved	Bureau Manager,