

MINUTES

**UTAH
ALARM SECURITY LICENSING BOARD
MEETING**

July 7, 2011

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

CONVENED: 9:05

ADJOURNED: 12:55

Bureau Manager:

Clyde Ormond

Board Secretary:

Yvonne King

Board Members Present:

Scott Sessions, Chairperson
Harold Weight,
William La Rochelle
Larry Gillett

Board Members Absent

Justin Gray

Guests:

Nathan Wilcox, Vivint
Jim Franckowial, Vivint
Preston Howard, Pinnacle
Jayson Lindquist, Vivint
Ray Anderson, Applicant

DOPL Staff Present:

Connie Call, Compliance

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of the May 5, 2011 Board Meeting Minutes

Mr. Gillett seconded by Mr. Weight made a motion to approved the May 5, 2011 Board Meeting Minutes. The motion carried unanimously.

Welcome William La Rochelle

Mr. La Rochelle was sworn in as a new Board member.

Chair Nominations

Mr. Gillett seconded by Mr. Weight made a motion to nominate Mr. Sessions as the new Chair. The

motion carried unanimously.

APPOINTMENTS:

9:05 Board Training
Tony Patterson

Mr. Patterson presented a power point explaining the Board's role with the Division and licensing. Mr. Patterson also provided a packet for the Board to review.

The topics Mr. Patterson covered were Administrative Procedure, Administrative Law, Purpose of all Regulation, Separating the Roles of Investigations, Prosecutions and Adjudications, Decision Making Duty, Complaints from Board Members, Due Process, Aggravating and Mitigating Circumstances, Open and Public Meetings Act, Notice of Public Meetings, and Discussions Limited to Agenda Items.

10:30 Compliance
Connie Call

Ms. Call reviewed the following probationers with the Board;

Konlin George

Mr. George is non-compliant and has not responded to his letters. The Compliance Unit has recommended an Order to Show Cause. Ms. Call stated that he has been sent a non-compliant letter.

Mr. Weight seconded by Mr. Gillett made a motion to issue an Order to Show Cause for Mr. George. The motion carried unanimously.

Clinton Rader

Mr. Rader is also non-compliant for not turning supervisor reports in on time.

10:45 Tori Casto

Mr. Ormond reviewed Ms. Casto's application. Ms. Casto was unable to meet with the Board for her scheduled appointment due to other conflicts.

Mr. Ormond reviewed her criminal history which included two incidences.

Mr. Weight seconded by Mr. La Rochelle made a motion to approve Ms. Casto for full licensure. The motion carried unanimously.

11:00 Preston Howard

Mr. Howard appeared before the Board for his scheduled appointment. Mr. Ormond reviewed Mr. Howard's application with the Board. Mr. Howard had a criminal offense.

Mr. Weight seconded by Mr. La Rochelle made a motion to approve Mr. Howard for full licensure as a Burglar Alarm Company Agent. The motion carried unanimously.

11:30 Coliant Solutions Inc;

QA: Calvin Johnson

Coliant Solutions Inc., with Mr. Johnson as the qualifying agent were contacted by phone for his interview. Mr. Ormond reviewed the application with the Board.

Mr. Gillett seconded by Mr. La Rochelle made a motion to approve Coliant Solution Inc, with Calvin Johnson as the qualifying agent contingent on the finger prints coming back clear. The motion carried unanimously.

11:45 Anderson Alarm

QA: Ray Anderson

Mr. Anderson appeared before the Board for his scheduled appointment. Mr. Anderson is applying for Anderson Alarm with Mr. Anderson as the Qualifying Agent. Mr. Ormond reviewed the application with the Board.

Mr. Gillett seconded by Mr. La Rochelle made a motion to approve Anderson alarm with Mr. Anderson as the qualifying agent. The motion carried unanimously.

12:00 Jason Flamm

Mr. Flamm appeared before the Board for his scheduled appointment. Mr. Ormond reviewed the application with the Board. Mr. Flamm had a reckless driving charge in 2009. Mr. Flamm stated that the charge was in the process of being expunged. Mr. Flamm also stated that he had been working for ADT Security Services Inc. in a training capacity. The Board was concerned with two issues (1.) Mr. Flamm had not answered truthfully on the qualifying questionnaire regarding his criminal offense and (2.) Mr. Flamm was already working for ADT Security Services Inc. and was not licensed.

Mr. Gillett seconded by Mr. La Rochelle made a motion to deny the application for Mr. Flamm as a

Burglar Alarm Company agent with the ability to reapply under the condition that Mr. Flamm answer truthfully on the qualifying questionnaire and resign from ADT Security Services Inc until licensure is approved. The motion carried unanimously.

12:15 Vivint Servicing LLC:
QA: Jason Lindquist

Nathan Wilcox was present at the Board to present Vivint Servicing, LLC, with Jason Lindquist as the qualifying agent.

Mr. Gillett seconded by Mr. La Rochelle made a motion to approve Vivint Servicing LLC, with Mr. Lindquist as the qualifying agent. The motion carried unanimously.

Nathan Wilcox

Mr. Wilcox raised the issue whether the sales employees could be an independent contractor paid as a 1099 employee.

Mr. Wilcox also questioned whether call center employees or employees working in billing are exempt from licensure if they do not have knowledge with respect to information of a premise protected by an alarm system.

Mr. Wilcox suggested re-defining the employee in rule.

Mr. Wilcox stated he would be meeting with the Utah Alarm Association in the following week and would obtain some language to re-define the employee and present a proposal. This will be an agenda item for the next meeting scheduled Board meeting scheduled Sept 1, 2011.

Adjourned

12:55 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.

September 1, 2011

(SS) Scott Sessions

Date Approved

Chairperson, Alarm Security Licensing Board

September 1, 2011

(SS) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing