

**MINUTES
UTAH ALARM SYSTEM SECURITY
LICENSING BOARD**

June 13, 2022

Electronic Meeting

CONVENED: 9:01 a.m.

ADJOURNED: 9:57 a.m.

Bureau Manager:
Board Secretary:

Tracy Taylor
Katie Corak

Board Members Present:

Fred Johnson, Chairperson
Paul Duff Astin
Scott RC Kemp

Board Members Absent:

Myron Bateman

DOPL Staff Present:

Allyson Pettley, Bureau Manager

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approval of Minutes
Time: 2:04

Mr. Kemp made a motion to approve the May 12, 2022 minutes. Mr. Astin seconded the motion. The motion passed unanimously.

DISCUSSION and ACTION ITEMS:

Felony Criminal History
Review:
Time: 7:56

The Board reviewed the letter applicants receive when they are required to meet with the Board for a criminal history review to determine eligibility for licensure. Mr. Johnson recommended that the letter include that the applicant's attendance at the board meeting is mandatory. Mr. Aston recommended that the letter notify the applicant that failure to attend the meeting will result in the denial of their application. The Board collectively agreed on these changes to letter. The changes will be made accordingly and all letters sent going forward will reflect these changes. The Board

then discussed potential precedents to set regarding consideration of applicants with felony convictions such as length of time since the offense occurred. Mr. Johnson suggested not approving any licenses for individuals who had a felony conviction in the last two years. Ms. Taylor explained that in order to set that precedent they would need to bring people before the Board review their history, and establish the precedent. After that, those cases can be handled administratively with a letter. Additionally, Ms. Taylor advised that going beyond one year since a felony conviction may be construed as going against the legislative changes made to this profession's licenses. The Board then moved on to discuss a setting a potential precedent that anyone still on probation or having outstanding fines not be considered for licensure or issued a probationary license. The Board discussed the varying types of probation (court probation, supervised probation, unsupervised probation etc.) and whether probationary status should have any bearing on licensure. Mr. Johnson asked if he and the other board members could be sued by an applicant who is denied licensure. Ms. Taylor explained that applicants that are denied are given the opportunity to request agency review of the decision. This means the Board has to clearly articulate the reason or reasons for denial related to their ability to safely practice in the profession. Failure to do so could result in the application being remanded back to the Board for a second review. Ms. Pettley added that board members are protected from litigation by a provision in the Governmental Immunity Act of Utah 63G-7-201. The Board moved on and discussed whether alarm security system perform background checks on potential employees. Mr. Johnson reported many companies rely on the Division to do that despite warnings from the local professional associations to the contrary. The Board discussed potential outreach to various companies via email or letter to explain this matter. Lastly, the Board then discussed how to handle board meetings going forward, specifically when an applicant does not show up for their appointment with the Board. It was determined that instead of reviewing the history of an applicant that did not attend the meeting, the Board will move on to the next person on the agenda that is in attendance.

ADJOURN:

Adjourned at 9:57: a.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.

Date: 07/20/2022

X *Fred M. Johnson*
Fred M. Johnson (Jul 20, 2022 11:42 MDT)
Alarm System Security Licensing Board Chairperson

Date: 07/20/2022

X *Janey Dyer*
Bureau Manager, Division of
Professional Licensing