



# **Board of Private Investigative & Security Services**

**Office of Professional Regulation, Vermont Secretary of State**

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## **Unapproved Minutes**

**Friday, July 19, 2019**

Board Members present: James Eckhardt, Chair; Richard Murphy; Mark Schwartz; Franklin Davis; and Robert Wernecke.

Staff Present: Steven Reynes, Hearing Officer; Gabriel Gilman, General Counsel; Kara Shangraw, Licensing Administrator I; and Elizabeth Kneen, Docket Clerk.

Others Present: Aaron Kisicki, State Prosecuting Attorney; Megan Porter; Heather Snyder; and David Van Ornum.

### **1. Call to Order:**

The Board Chair, James Eckhardt, called the meeting to order at 9:05 a.m.

### **2. Approval of Minutes:**

The Board reviewed the Minutes of the May 29, 2019 meeting. Mr. Murphy made a motion, seconded by Mr. Schwartz, to approve the minutes of the May 29, 2019 meeting as submitted. Motion passed unanimously.

### **3. Administrative Updates:**

### **4. Disciplinary Matters:**

The Board held a Hearing regarding the Preliminary Denial of the application for Megan Porter, Docket number 2019-73. Ms. Porter was present. Attorney Kisicki, Prosecuting Attorney was present for the State, and Judge Reynes was the presiding officer for the Board. Based on the information submitted, Mr. Eckhardt made a motion, seconded by Mr. Wernecke, to go into deliberative session at 10:50 a.m. and out at 11:25 a.m. The Board Denied Ms. Porter's application. Motion passed 5-0. A written decision will be mailed to Ms. Porter.

The Board reviewed the *Stipulation and Consent Order* in the matter of Travis Barewicz, Docket number 2019-71. Based on the information provided, Mr. Eckhardt made a motion, seconded by Mr. Davis, to accept the *Stipulation and Consent Order* as presented. Motion passed 5-0.

### **5. Administrative Updates:**

The Board tabled the discussion for the Rule reform, outreach and communications.

## **6. Application Review:**

The Board reviewed the Licensed Private Investigator and/or Security Guard Application for Michael Depaolis. Based on the information submitted, Mr. Murphy made a motion, seconded by Mr. Wernecke, to approve the Licensed Private Investigator and/or Security Guard application for Mr. Depaolis. Motion passed unanimously.

The Board reviewed the Licensed Private Investigator and/or Security Guard Application for Nader Hashim. Based on the information submitted, Mr. Murphy made a motion, seconded by Mr. Davis, to approve the Licensed Private Investigator and/or Security Guard application for Mr. Hashim. Motion passed unanimously.

The Board reviewed the Licensed Private Investigator and/or Security Guard Application for Ruth Gross. Based on the information submitted, Mr. Murphy made a motion, seconded by Mr. Schwartz, to approve the Licensed Private Investigator and/or Security Guard application. Motion passed unanimously.

The Board reviewed the Private Investigative Agency – Sole Proprietor Application for Hashim Investigative Group. Based on the information submitted, Mr. Wernecke made a motion, seconded by Mr. Schwartz, to approve the Private Investigator and/or Security Guard Agency application for Hashim Investigative Group. Motion passed unanimously.

The Board reviewed the Private Investigative Agency – Sole Proprietor Application for M J Kepple Investigations. Based on the information submitted, Mr. Wernecke made a motion, seconded by Mr. Schwartz, to approve the Private Investigator and/or Security Guard Agency application for M J Kepple Investigations. Motion passed unanimously.

The Board reviewed the Security Services Agency Application for Bronsan Risk Consultants, LTD. Based on the information submitted, Mr. Wernecke made a motion, seconded by Mr. Schwartz, to approve the Private Investigator and/or Security Guard Agency application for Bronsan Risk Consultants, LTD. Motion passed unanimously.

The Board reviewed the Security Services Agency Application for Professional Security Consultants. Based on the information submitted, Mr. Wernecke made a motion, seconded by Mr. Schwartz, to approve the Private Investigator and/or Security Guard Agency application for Professional Security Consultants. Motion passed unanimously.

The Board reviewed the Licensed Private Investigator and/or Security Guard Application for Shawn Kelly. Based on the information submitted, Mr. Murphy made a motion, seconded by Mr. Davis, to refer his application back to the office for further inquiry. Motion passed unanimously.

## **7. Topics for Discussion/Correspondence:**

## **8. Other Business:**

Administrators and General Counsel discussed with the Board concerns that security firms appear to be requiring security guards to sign non-compete agreements that are highly unlikely to be enforceable in the courts. The Office will confer with appropriate State agencies. Based on the discussion, Mr. Murphy made a motion, seconded by Mr. Davis, to have the Office contact the appropriate State agencies on this topic. Motion passed unanimously.

## **9. Public Comment:**

Heather Snider and Daniel Van Ornum attended the meeting to discuss the Rules reform.

## **10. Adjournment:**

There being no further business, the meeting adjourned at 12:36 p.m.

Respectfully submitted,

*Kara Shangraw*

Licensing Administrator I

Next Scheduled Meeting – Friday, September 20<sup>th</sup>, 2019

Please check the office [website](#) for updates