

Office of Professional Regulation
BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES

APPROVED MINUTES

MEETING OF APRIL 16, 2004

1. The meeting was called to order at 9:05 a.m.

Members present: Daniel Coane, Chairperson, Robert Edwards, Secretary; Emma Pudvah and Nancy Stevens, as Ad Hoc Members.

Members Absent: Leo Blais, Vice Chair

OPR Staff present: Christopher Winters, Board Counsel; Carla Preston, Unit Administrator and Patty Skinner, Administrative Assistant.

Others present: Scott Bapp, Mark Hall, James Cole, Jeffrey Stewart and Rennie L. Love.

2. The Chair called for approval of the Minutes of the March 19th meeting. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the Minutes of March 19, 2004 meeting as presented. Motion passed unanimously.

3. **Hearings/Stipulations**

- a. Jeffrey Stewart – The Board held a hearing regarding its preliminary denial of Mr. Stewart’s application for registration as a security guard. Mr. Coane made a motion, seconded by Mr. Edwards, to go into deliberative session at 10:12 a.m. and out at 10:22 a.m. Based on the documents presented and testimony heard Mr. Edwards made a motion, seconded by Ms. Pudvah, to continue the hearing. Mr. Stewart must submit specific documentation by the next meeting.

4. **Reports**

- a. The Board reviewed and noted the Budget Report through month ending 02/29/04.

5. **Legislation/Rulemaking**

- a. The Board reviewed the latest version of the draft rules. Attorney Winters also prepared the proposed rule cover sheets for rulemaking which include the economic impact statement, adopting page, etc. A few changes were suggested in the cover pages and in the text of the rules. Members agreed to amend the word “detective” to “*investigator or investigative*” throughout the rules. The Board discussed requirements for qualifying agents and agreed to include a provision requiring that the qualifying agent be present in the State of Vermont no less than one day out of every 60 days. Attorney Winters explained the steps in the rulemaking process noting that if all goes well, the earliest that the rules could be effective would be in the Fall (October) of this year.

6. Complaints – None to report.

7. Applications to review

Jamie Campbell – The Board reviewed Mr. Campbell's application as an Unarmed Security Guard with Deter Security, Inc. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. Campbell's application based on Title 26, Chapter 59 §3181 (b) (15) and § 3181 (b) (18). Motion passed unanimously.

Wayne A. Gray – The Board reviewed Mr. Gray's application as an Unarmed Security Guard with Deter Security, Inc.. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. Campbell's application based on Title 26, Chapter 59 §3181 (b) (15) and § 3181 (b) (18). Motion passed unanimously.

Yuri J. Trump – The Board reviewed Mr. Trump's application as an Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Trump for registration, along with a letter reminding Mr. Trump that he must answer yes to question number one on subsequent applications. Motion passed unanimously.

Daniel O'Brien – The Board reviewed Mr. O'Brien's application as an Unarmed Security Guard with Berkshire Armored Car. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. O'Brien's application based on Title 26, Chapter 59 §3181 (b)(1), § 3181 (b)(15), § 3181 (b)(18) and Title 3, Chapter 5 § 129a(a)(10). Motion passed unanimously.

Matthew D. Lathrop – The Board reviewed Mr. Lathrop's application as an Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Lathrop for licensure. Motion passed unanimously.

Scott A. Bapp – The Board reviewed Mr. Bapp's application for Unarmed Security Guard with Loomis, Fargo & Company. Mr. Bapp was present and waived executive session to discuss his application. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah to approve Mr. Bapp for registration as an unarmed security guard. Mr. Bapp will be eligible for Armed status provided the FBI background check shows nothing in addition to the offenses shown on the VCIC record discussed today. The question was called and the motion passed unanimously.

7. Applications to discuss (cont.)

The Intel Group – The Board reviewed the application for the Intel Group as a Private Investigative Agency with Franklin B. Pinder III as Qualifying Agent. Based on the information provided, Ms. Stevens made a motion, seconded by Mr. Edwards to approve the Agency and Qualifying Agent for licensure. Motion passed unanimously.

Crawford Investigative Services, Inc. – The Board reviewed the change of qualifying agent and corporate officers for Crawford Investigative Services, Inc. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the changes for Crawford Investigative Services, Inc. Motion passed unanimously.

James Cole – The Board reviewed Mr. Cole's application with waiver for an Armed Security Guard with Stockton Security Services. Mr. Cole was present and requested a waiver of taking another firearms course because he was previously registered as armed with Lemieux Security and renewed that registration prior to the agency going out of business. He said his firearms certification is current. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Stevens, to approve Mr. Cole for registration as an Armed Security Guard. Motion passed unanimously.

Mike Garcia Merchants Security, Inc. – The Board reviewed the agency application for Mike Garcia Merchants Security, Inc. with Shawn Murphy as Qualifying Agent. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to obtain additional information regarding Mr. Murphy's work in the security field, and information regarding Jason Gould's position. Motion passed unanimously.

k. Mark S. Hall – Mr. Hall was present and waived executive session to discuss his application. Based on the information provided, Ms. Stevens made a motion, seconded by Mr. Edwards, to approve Mr. Hall for registration as an unarmed security guard. Mr. Hall will be eligible for Armed status provided the FBI background check shows nothing in addition to the offenses shown on the VCIC record discussed today. The question was called and the motion passed unanimously.

8. Update Regarding Old Business

a. Christopher Winters, Board Counsel, will be contacting Triad Temporary Services, Inc., to see why we have not received a response to his letter of January 07, 2004.

9. Correspondence

a. The Board reviewed and noted the letter from David K. Hough apologizing for missing the last meeting for which he was scheduled to be an Ad Hoc Member.

9. Correspondence (cont.)

- b. The Board noted that Criminal Justice Information Services (CJIS) will be doing an audit of our records.

10. Other Business

- a. The Board discussed an email received by Mr. Edwards regarding ANASEC Consulting, located in Stafford, Virginia. This company is advertising as a full-service international investigative/security consulting firm serving the needs of government, and private/public corporations. The Board will send a letter of inquiry to this company.

- 11.** The meeting was adjourned at 12:24 p.m.

- 12. The next scheduled meeting is on Friday, May 21, 2004**

Respectfully submitted,

Patty Skinner
Administrative Assistant