

**Board of Private Investigative & Security Services
Secretary of State, Office of Professional Regulation
National Life Building, North, Floor 2
Montpelier, VT 05620-3402
UNAPPROVED MINUTES
Meeting of January 15, 2010**

1. The meeting was called to order at 9:00 A.M.

Members present: Robert E. Edwards, Chairman, James R. Eckhardt, Vice-Chairman, Stacey Nelson and Emma J. Pudvah.

Members absent: Michael P. Jennings, Secretary,

OPR Personnel: Carla Preston, Unit Administrator; Kevin J. Leahy, Board Counsel and Patty Skinner, Administrative Assistant

Others present: Brad Hanson, Joseph Arwady, Leslie Germain, Donald Jochom, Michael Collins and Michael Warren.

2. The Chair called for approval of the Minutes of the December 18th. Mr. Eckhardt made a motion, seconded by Ms. Pudvah, to approve the Minutes of the December 18, 2009 meeting as presented. Motion passed unanimously.

3. Reports

4. Hearings/Stipulations/Reports of Concluded Investigations

5. Legislation/Rulemaking

6. Applications for Licensure

- a. James Meyers – application for firearms instructors' license. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Pudvah to approve Mr. Meyers for licensure. Motion passed unanimously.

- b. Mike Warren – Unarmed Security Guard for U.S. Security Associates. Mr. Warren was present to present his case to the Board. The Board went into executive session at 9:07 a.m. and out at 9:33 a.m. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Pudvah to preliminarily deny Mr. Warren for registration based on 26 V.S.A. § 3181 (b) 15 "*Failing to provide information requested by the Board*" and 26 V.S.A. 3181 (b) 18 "*Providing incomplete, false or misleading information on an application.*" Motion passed unanimously.

- c. Roger Twing – Unarmed security guard for ADA Bureau of Investigation & Security. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to preliminarily deny Mr. Twing's application based on 26 V.S.A. § 3181 (b) 15 "*Failing to provide information requested by the Board*" and 26 V.S.A. 3181 (b) 18 "*Providing incomplete, false or misleading formation on an application.*" Motion passed unanimously.

6. Applications for Licensure (continued)

- d. Timothy Delaney – Private Investigative Agency with Mr. Delaney as the qualifying agent. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to approve Mr. Delaney’s application for licensure. Motion passed unanimously.
- e. Brad C. Hanson – Instructor for US Security Associates 40 hour basic training program. Based on the information provided, Mr. Eckhardt made a motion, seconded by Ms. Nelson, to approve Mr. Hanson as an instructor for US Security Associates. Motion passed unanimously.

7. Training Program Review

8. Miscellaneous Correspondence

9. Public Comment

10. Other Business Introduced

- a. Leslie Germain, Donald Jochom and Michael Collins were present to discuss booth monitors at a local manufacturing plant and whether they would have to be licensed as security guards. This was discussed with Board members, and it was made clear to the Board that the work they would be performing would fall under the Board and would require a license.
- b. The Board reviewed the draft sole proprietor agency application and accompanying memo. Minor adjustments were made to the document.
- c. Mr. Leahy discussed digital forensic specialists (DFS) with the board, and he informed the board that it received a request for a declaratory ruling pursuant to 3 V.S.A. § 808. The request seeks a board ruling on whether DFS services constitute the practice of private investigative service and require state licensure. The board asked Attorney Leahy to draft a ruling for its review and approval. Board members noted that they have addressed this issue previously and that it is an issue of statutory interpretation. The board therefore determined that it does not need to review additional evidence prior to making a ruling.

11. The next meeting of the Board is scheduled for **February 19th, 2010** at 9:00 AM.

12. There being no further business, the meeting was adjourned at 11:04 AM.

Respectfully submitted,

Patty Skinner
Administrative Assistant
Office of Professional Regulation