

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 July 17, 2009

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

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

OPR Personnel: Christopher D. Winters, OPR Director, Kevin F. Leahy, Board Counsel, Gregg Meyer, State Prosecuting Attorney, and Carla Preston, Unit Administrator.

Others present: Eric Bergeron, Laura Bergeron, Gilbert Lussier, Lance Foster, Jeremy Spaulding, Neil Abrahamson and Peter Soowly.

2. The Chair called for approval of the Minutes of the June 19th meeting. The acronym for VAISS, was corrected. In addition the discussion where initials were used to clarify the speaker will be corrected. Ms. Pudvah made a motion, seconded by Mr. Jennings, to approve the Minutes of the June 19, 2009 meeting as corrected. Motion passed unanimously.

3. **Reports**

The Board reviewed the July 16, 2009 email from Christopher Winters, Director of the Office of Professional Regulation, to the Vermont Department of Motor Vehicles regarding the issuance of DMV issued State IDs. Val Cyr, Chief Project Management at DMV indicated that due to a significant modernization project they would be unable to consider it at this time.

4. **Hearings/Stipulations/Reports of Concluded Investigations**

- a. At 9:15 A.M the Board considered a *Stipulation and Consent Order* in the matter of Garda CL New England, Docket Number 2008-232 (PD22-0608) and Daniel L. Kirby 2008-236 (PD23-0608). Kevin Leahy presided for the Board. Gregg Meyer was present for the State. Mr. Jennings made a motion, seconded by Chairman Edwards, to accept the Stipulation and Consent Order as presented. Motion passed. Mr. Eckhardt, Investigating Member, did not participate in the vote.
- b. At 9:30 A.M. the Board considered a *Stipulation and Consent Order* in the matter of Deborah A. Aylward, Docket Number 2007-170 (ULP-PD12-0507). Ms. Pudvah made a motion to adopt the Stipulation and Consent Order as presented. Motion passed. Chairman Edwards, Investigating Member, did not participate in the vote.

5. **Legislation/Rulemaking**

Review of the statutes for proposed changes was tabled.

6. **Applications for Licensure**

- a. Neil Abrahamson – Unarmed security guard with Green Mountain Concert Services, tabled from the last meeting for a personal appearance. Mr. Abrahamson was present and waived executive session to discuss his application. MJ motion, 2nd by JE, to go into executive session at 9:22 AM and out at 9:27. Based on the documents presented and testimony heard, Mr. Jennings made a

motion, seconded by Mr. Eckhardt, to approve Mr. Abrahamson for temporary registration. Motion passed unanimously.

- b. Gilbert R. Lussier – Unarmed security guard with U.S. Security Associates. Mr. Lussier was present and waived executive session to discuss his application. Based on the documents presented and testimony heard, Mr. Eckhardt made a motion, seconded by Mr. Jennings, to approve Mr. Lussier for temporary registration. Motion passed unanimously.
- c. Clifford J. Green – Unarmed security guard with Censor Security. Mr. Green was asked to submit information. Jim Recused from this application. Based on the information presented, Mr. Jennings made a motion, seconded by Ms. Nelson, to approve Mr. Green for registration. Motion passed unanimously.
- d. The Board reviewed the June 15, 2009 letter requesting Melissa Cali to become an instructor for Valor Security. Ms. Cali was previously an instructor for Guardsmark. Based on the information presented, Mr. Jennings made a motion, seconded by Ms. Pudvah, to approve Ms. Cali as an instructor for Valor Security. Motion passed unanimously. Jim and Stacey ok.
- e. The Board reviewed the July 3, 2009 letter requesting Ronald F. Welch to become an instructor for Garda Security/Vance International, Inc. Based on the information presented, Mr. Jennings made a motion, seconded by Mr. Eckhardt, to approve Mr. Welch as an instructor for Valor Security. Motion passed unanimously.
- f. Lance Foster presented a 40-hour training program for Veracity Research Company. All employees come to TX for training, they get 60 hours each week. Familiar with state statutes, licensed in several states. LF been in business since 1991 pi for insurance co and started this co in 1995. was criminal investigator for military police. Training covers invasion of privacy, laws, trespass, etc. module pertains to particular state, 1st week is classroom, 2nd week is with instructors, then on individual basis for particular job. Have advanced training for investigators doing photos and interviews. Rules require approve course and the instructor. Need 40 hr block that is VT oriented. Wonderful training program but does not fit with VT's, have 9 different trainers for dif segments of program. Could make LF responsible for the overall training, and not have to approve each separate trainer. LF is present but is not instructing the course. Follow VT's required outline. KL said needs mechanism to review records of training. Will maintain office in VT and retain records here in Vt if required. Do not have employees in Vt at this time. Do have applications in to Vt. Need to get training approved. Board reviewed its training requirements. Lance F is the license holder, he is the QA. Ethics and conduct as it relates to VT is lacking. Everything else is more than covered in their program. LF said VT law is part of program but is not in program. He needs detailed of 4 hrs of ethics and conduct and resubmit as part of their program. He would not need to be present but does need to include it in their program. KL record maintenance, records in TX, if board approves can argue it otherwise meets requirements. Could ask agent for service, SS could be record holder. **Do have registered agent in VT, keep records there and add 4 hrs ethics re VT to their training program. Board gave him his program and asked him to resubmit with the 4 hr ethics pgm. He also needs to state where the records will be retained in VT. Board tabled for further info.**
- g. EFI Global, Inc. as a Private Investigative Agency with Richard A. Jones as the qualifying agent. Mr. Jones successfully completed Bob's training program. Based on the information presented, Ms. Pudvah made a motion, seconded by Ms. Nelson, to approve Richard Jones for licensure to become the qualifying Agent and to approve EFI Global Inc. as a private investigative agency. Motion passed unanimously.
- h. Eric G. Bergeron – Unarmed security guard with J. Cronan Associates. Mr. Bergeron was present and waived executive session to discuss his application. Based on the documents presented and

testimony heard, Mr. Jennings made a motion, seconded by Ms. Pudvah, to approve Mr. Bergeron for registration. Motion passed unanimously.

- i. Factual Photo, Inc. – Private Investigative Agency with Michael Anderson as the qualifying agent. Based on the information presented, Mr. Eckhardt made a motion, seconded by Ms. Pudvah, to approve Richard Jones for licensure to become the qualifying Agent and to approve EFI Global Inc. as a private investigative agency. Motion passed unanimously.
- j. Pendum LLC – Change in qualifying agent to John M. D'Alessandro Based on the information presented, Mr. Jennings made a motion, seconded by Ms. Pudvah, to approve John D'Alessandro for licensure to become the qualifying Agent for Pendum LLC. Motion passed unanimously.
- k. PhotoFax, Inc. – Private Investigative Agency with Karen S. DeBoer as the qualifying agent. Based on the information presented, Mr. Eckhardt made a motion, seconded by Ms. Pudvah, to approve Karen DeBoer for licensure to become the qualifying Agent and to approve PhotoFax, Inc. as a private investigative agency. Motion passed unanimously.
- l. Vescom Corporation submitted a request for change in Qualifying Agent to Matthew J. Cullen. Mr. Cullen submitted an application for licensure and successfully completed the examination. Based on the documents submitted, Mr. Jennings made a motion, seconded by Ms. Nelson, to approve Mr. Cullen for licensure and to become qualifying Agent for Vescom Corporation. The question was called and the motion passed unanimously.

7. **Training Program Review**

8. **Miscellaneous Correspondence**

10. **Public Comment**

Peter is with St. Michaels College, have application pending. Will be on the agenda soon.

11. **Other Business Introduced**

12. The next meeting of the Board is scheduled for **August 21, 2009** at 9:00 AM.

15. There being no further business, the meeting was adjourned at 10:34 AM. Stacey out next meeting.

Respectfully submitted,

Carla Preston
Unit Administrator
Office of Professional Regulation