

**Vermont Secretary of State  
Office of Professional Regulation  
BOARD OF PRIVATE INVESTIGATIVE & SECURITY SERVICES  
NOVEMBER 19, 2004  
MINUTES**

1. The meeting was called to order at 9:00 a.m.

Members present: Daniel A. Coane, Chairperson; Robert E. Edwards, Secretary; Leo P. Blais, Vice-Chair; and Emma Pudvah, Ad Hoc Member.

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

Others present: James Eckhardt and John W. Jacob.

2. The Chair called for approval of the Minutes of the October 15<sup>th</sup> meeting. The Board voted to amend the first sentence under number five to read: Mr. Eckhardt (Censor Security Inc.) and Frank Kinney (Deter Security Inc.) said they are very concerned regarding the training as set forth in the proposed rules. Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve the Minutes of the October 15, 2004 meeting as amended. Motion passed unanimously.

3. **Hearings /Stipulations**

4. **Reports**

Mr. Edwards presented a report on the International Association of Security and Investigative Regulators Conference that he attended in Phoenix, Arizona (See Attachment A).

5. **Legislation/Rulemaking**

The Board reviewed the latest draft (11/19/04) of its proposed rules. Attorney Winters noted that the recent changes were made on pages four and five, which were based on his meeting with James Eckhart with Censor Security. He said Section 2.5 was amended to clarify that not all training is required to be eligible for a temporary permit. A registrant may apply for a temporary and obtain the required training during the 60-day period in which the temporary permit is valid or may apply for registration after having completed the 40 hours of training.

The acceptance of video or computer based programs used in training was discussed. The Board indicated that all training programs must be approved by the Board. Any use of video based or computer based training must be included in the overall training program to be considered.

The Board voted to delete the highlighted portion in Section E which referred to on-the-job training. Section G with regard to “trade secrets” was approved by the Board.

Attorney Winters indicated that the Final Proposed Rules must be submitted to the Legislative Committee on Administrative Rules in January to continue with an early March effective date.

**6. Complaints**

**7. Applications reviewed and discussed**

- a. Michael G. Balog - Unarmed Security Guard with Saber Security, LLC. Based on the information provided, Mr. Blais made a motion, seconded by Mr. Edwards, to approve Mr. Balog for registration. Motion passed unanimously.
- b. Sherie A. Dishaw – Unarmed Security Guard with Vescom Corporation. Based on the information provided, Mr. Blais made a motion, seconded by Mr. Edwards, to preliminarily deny Ms. Dishaw’s application for failing to provide information requested by the Board, providing incomplete, false or misleading information on an application and conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession (26 V.S.A. § 3181 (b) 15, (b) 18 and Title 3, Chapter 5 § 129 a(a) 9). Motion passed unanimously.
- c. Michael J. Farmer – Unarmed Security Guard with Guardsmark, LLC. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to preliminarily deny Mr. Farmer’s application for failing to provide information requested by the Board, providing incomplete, false or misleading information on an application and Conviction of a crime related to the practice of the profession or conviction of a felony, whether or not related to the practice of the profession (26 V.S.A. § 3181 (b) 15, (b) 18 and Title 3, Chapter 5 § 129 a(a) 9). Motion passed unanimously.

**7. Applications reviewed (cont.)**

- d. John W. Jacob – Armed Security Guard with MVM, Inc. tabled from the October 15, 2004 meeting. Mr. Jacob was present and agreed to waive executive session to discuss his application. Based on the information presented, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Jacobs for a temporary registration, and if no further charges are shown on the results of the F.B.I. background check, he will be approved for an armed registration. Motion passed unanimously.
  - e. Ian L. Koch – Unarmed Security Guard with Green Mountain Concert Services, tabled from the October 15, 2004 meeting. Based on the information presented, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Koch for registration. Motion passed unanimously.
  - f. Ashley Machia – Unarmed Security Guard with Hunter North Associates. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to request additional documents and a personal appearance to discuss the current matter revealed on the VCIC background check. Motion passed unanimously.
  - g. KC Myers – Unarmed Security Guard with Censor Security, Inc. Mr. Eckhardt from Censor Security was present and stated that they were no longer considering Mr. Myers for employment. The Board took no action with regard to this application.
  - h. Michael J. Waters – Unarmed Security Guard with Deter Security. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approval Mr. Waters for registration. Motion passed unanimously.
  - i. Tyson Wells – Unarmed Security Guard with Vescom Corp. Based on the information provided, Mr. Edwards made a motion, seconded by Ms. Pudvah, to approve Mr. Wells for registration. Motion passed unanimously.
8. Update Regarding Old Business – None to Report.
9. Correspondence – None to Report

10. Other Business

Mr. Eckhardt raised the issue of making a registrant's registration transferable to another agency versus requiring them to reapply each time they change employment. The matter was discussed briefly.

Mr. Eckhardt also raised the issue of repeating the background check through the Vermont Criminal Information Center (VCIC) at renewal time for each registrant and licensee. There are approximately 1,356 registrants or licensees as of this date.

These issues will be raised at the next meeting for further discussion.

11. Public Comments – None to Report

12. Items for the Newsletter

13. There being no further business, the meeting was adjourned at 10:22 a.m.

Respectfully submitted,

Patty Skinner  
Administrative Assistant