

**STATE OF MINNESOTA
PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES BOARD
1430 Maryland Avenue East, St. Paul, Minnesota**

MEMBERS PRESENT: Richard Hodsdon, Jim Hessel, Kip Sandoz, and David Moitzheim

MEMBERS NOT PRESENT: Jeff Hansen

ATTORNEY GENERAL REPRESENTATIVE: Leah Hedman

EXECUTIVE DIRECTOR: Greg Cook

ADMINISTRATIVE ASSISTANT: Kia Vue

**JULY 25th, 2019
MEETING MINUTES**

1. REVIEW OF JUNE 2019 MEETING MINUTES & JULY 2019 AGING REPORTS

Hodsdon opened the meeting at 10:00AM. Hodsdon stated that there was a quorum present, as well as staff and legal counsel. Hodsdon commenced review of the June 2019 Meeting Minutes and July 2019 Aging Reports. Hodsdon stated that the Aging Reports were informational only and required no action. Hodsdon asked the Board for a motion to approve the June 2019 Meeting Minutes.

- **Motion:** Sandoz made a motion to approve the June 2019 Meeting Minutes. Moitzheim seconded. Motioned carried.

2. REQUESTS FOR CEUs OF NON-CERTIFIED COURSES:

License # & License Holder	TYPE	PROVIDER	COURSE NAME	HRS
Eide Bailly – PDP 914	CPD	Association of Certified Fraud Examiners (ACFE)	ACFE Global Conference 2017	20
Cadfael Investigative Group – PDC 955	CPD	Professional Association of Wisconsin Licensed Investigators (PAWLI)	Hard-Core Computer –Aided Investigation, OSINT and Digital Officer Safety	8
Cadfael Investigative Group – PDC 955	CPD	California Association of Licensed Investigators (CALI)	Open Source Intelligence	8
Cadfael Investigative Group – PDC 955	CPD	California Association of Licensed Investigators (CALI)	CALI 2018 Conference	13
Cadfael Investigative Group – PDC 955	CPD	California Association of Licensed Investigators (CALI)	Forensic Testimonial Evidence Recovery	8
Cadfael Investigative Group – PDC 955	CPD	California Association of Licensed Investigators (CALI)	CALI 2019 Conference	11.75

Hodsdon asked Cook if the courses had been reviewed and vetted by staff. Cook responded that was correct. Hodsdon asked the Board for a motion to approve the courses.

- **Motion:** Moitzheim made a motion to approve the courses. Hessel seconded. Motion carried.

3. TRAINING COURSE APPROVALS:

TYPE	PROVIDER	INSTRUCTORS	COURSE NAME	HRS
CPA	Whelan Event Staffing Services	Natanya Young, Scott Sandbo	Special Event Security	6

Hodsdon asked Cook if the course had been reviewed and recommended for approval by staff. Cook stated that was correct. Hodsdon asked the Board for a motion to approve the training course.

- **Motion:** Moitzheim made a motion to approve the courses. Hessel seconded. Motion carried.

4. TRAINING INSTRUCTOR APPROVALS:

PROVIDER	COURSE NAME	COURSE #	INSTRUCTOR(S)
Whelan Event Staffing Services	Pre-Assignment	PPA 122	Natanya Young, Scott Sandbo

Hodsdon asked Cook if staff recommends approval. Cook stated that was correct. Hodsdon asked the Board for a motion to approve the training instructors.

- **Motion:** Hessel made a motion to approve the training instructors. Sandoz seconded. Motion carried.

5. RENEWAL CONSENT AGENDA:

LICENSE HOLDERS
** PDI 496 – Theodore L. Cyptar DBA: Ted L. Cyptar Private Investigations
** PDP 914 – Eide Bailly LLP
** PDI 2047 – David W. Glendenning, Jr.
PDC 955 – Cadfael Investigative Group, Inc.
PDI 1090 – Steven M. Rgnonti DBA: Evidentiary Services, LLC
PDI 2046 – Noel Edward Baugh DBA: Wildwood Investigations
PDC 1029 – ADP Screening & Selection Services, Inc.

*** Indicates license holder provided a renewal with no issues upon original submission.*

Hodsdon noted that the first three licenses turned in their renewals with no issues and extended appreciation to those licensees. Hodsdon asked the Board for a motion to approve the consent agenda.

- **Motion:** Moitzheim made a motion to approve the consent agenda. Sandoz seconded. Motion carried.

6. RENEWALS WITH ISSUES:

PAC 1091 – United Protective Agency, Inc.

Hodsdon stated that the renewal was received on time but that there were some questions with the Affidavit of Training. Cook stated that was correct. Hodsdon asked if the issue was resolved. Cook stated it was not yet resolved. Hodsdon stated that staff recommended a contingency. Hodsdon asked the Board for a motion.

- **Motion:** Hessel made a motion for a contingency. Sandoz seconded. Motion carried.

PAC 1177 – BelCom Inc. DBA: PS Security Services, Front Line Security

Hodsdon stated that the renewal was received late and that the Letter of Explanation may be considered at a later time. Hodsdon asked the Board for a motion to approve a contingency.

- **Motion:** Moitzheim made a motion for a contingency. Sandoz seconded. Motion carried.

7. CURRENT CONTINGENCIES:

PAC 2044 – Excalibur Protection Agency, LLC – Contingency status ends August 2019

Hodsdon stated that the renewal was received late, but it appears everything else is in order. Hodsdon asked the Board for their thoughts.

- **Motion:** Moitzheim made a motion for a renewal with a Letter of Education. Sandoz seconded. Motion carried.

PDC 1088 – Defense Investigations Group (DIG) – Contingency status ends August 2019

Hodsdon stated that the renewal was received late. Cook stated that there were some issues with some of the CEU's not being completed, but have since completed the CEU's. Hodsdon asked if this was the licensee's first renewal. Cook stated it was not and they first got their license in 2013. Hodsdon stated that the licensee has been through the renewal process before and asked the Board for their thoughts. Moitzheim suggested approval with a Letter of Education and a \$100 penalty. Hodsdon asked Moitzheim to specify the reasons for the penalty. Moitzheim stated due to the late renewal. Hodsdon suggested that the reasons be for the late renewal and the issues with the CEU's, to cover both issues. Moitzheim stated that his motion was to reflect Hodsdon's suggestion.

- **Motion:** Moitzheim made a motion to approve the renewal with a Letter of Education and a \$100 penalty. Sandoz seconded. Motion carried.

PAC 321 – Andy Frain Services, Inc. – Contingency status ends August 2019

Hodsdon asked Cook if there were any updates with this license holder. Cook stated there was not. Hodsdon stated that there was no action required.

PDI 776 – Peter Buchanan DBA: Buchanan Investigative Service – Contingency status ends August 2019

Hodsdon asked Cook if there were any updates with this license holder. Cook stated there was not. Hodsdon stated that there was no action required.

8. LAPSED LICENSES:

PDC 959 – Rgnonti, Blevins & Associates, LLC – Lapsed status ends July 2019

Hodsdon asked Cook if there were any updates. Cook stated there was not. Hodsdon stated the license will remain in lapsed status as operation of law and there was no action required.

9. EXPIRED LICENSES: NONE.

10. SURRENDERED LICENSES:

- PAC 2069 – MRW Security, LLC
- PDC 828 – Unified Investigations & Sciences, Inc.
- PAC 2088 – United American Security, LLC

11. NEW LICENSE APPLICANTS – TABLED:

Applicant Business Name:	CODE 4, LLC
Type of License Applying For:	Corporate Private Detective

Cook stated that the applicant went before the Pardon Board to get his conviction pardoned, but was denied. Cook stated the question that was raised by the applicant was that if he withdraws his application and reapplies, will he be able to maintain some initial items from his application. Cook stated that from an agency standpoint it is more efficient to maintain some of the documentation. Hodsdon stated that pursuant to records retention the entire application is kept on file. Cook stated that the applicant is going to reapply because his conviction has been expunged.

Hodsdon stated that they have to keep the entire file on record, which includes the applicant’s felony conviction on his record but the applicant can do whatever he would like to do. Hodsdon stated that if Cook finds it administratively more convenient to supplement as opposed to starting over that would be a staff decision. Hodsdon asked the Board what their thoughts were. Hessel stated that he had no objection.

Sandoz asked about the fees. Cook stated that the applicant has already paid a check that has been deposited, and if another check had to be written they would have to go through the State Finance Department to refund his original check which is cumbersome.

Hedman asked if the applicant’s request was in writing. Cook replied stating that the request was over the phone, but that he will request it in writing. Hodsdon stated that the matter will remain tabled and in order for it to be taken off the table the applicant should withdraw their prior application and resubmit a new one with a request to maintain some of the prior submissions.

Cook asked the chair about the statute regarding if the applicant’s record is still something that would be considered. Hodsdon stated there are several statutes that may be relevant. Under Chapter 364, The Ex-Offender’s Rehabilitation Act, for certain licensing and employment where the conviction is directly related to the license or job are not to be considered by the public body. Hodsdon continued by stating that this entity, as is law enforcement, is excluded from Chapter 364. So in this case, nothing prevents this body from including it in the record. Hodsdon stated that the other Statute related is the Expungement Statute, 609A.01, which states that the remedy of an expungement is that it seals the record, but it does not have the effect of setting aside the conviction.

12. NEW LICENSE APPLICANTS – PRESENT:

Applicant Business Name:	G2G Event Staffing, LLC
Type of License Applying For:	Corporate Protective Agent

Howard Johnston was present as the owner and representative of G2G. During the course of the conversation with the Board it was found that G2G had provided unlicensed security services July 10th-14th at the Infra Sound musical event. Cook stated that the agency sent Johnston a notification and they were notified of potential unlicensed activity and wanted to give him the opportunity to come before the board for an explanation.

Johnston stated he had requested a temporary permit prior to the event and Cook informed him at that time that statutes do not allow that. Johnston stated he did not believe he was providing security related services at the event. Cook asked what types of services he had provided at the event. Johnston stated cleaning festival grounds, having runners backstage to get beverages and food for the acts, set up and takedown of stages, take tickets, direct parking, and crowd control-all the aspects of an event. Cook asked Johnston if he had read the statutes as he had signed off on them on the application. Johnston stated 'Yes'. Cook stated that access and crowd control are licensable services. Cook asked Johnston that if he tried to get through an entry point without a wristband what he would do. Johnston stated he would stop him. Cook stated that was access control. Cook asked what his employees did up by the stages. Johnston stated checking wristbands.

A subsequent issue was that G2G had signed an agreement and received a retainer to provide security for the upcoming WeFest musical festival. Cook informed Johnston that it was reported that an unlicensed G2G security person was currently providing security at the venue conducting access control at the entrance to the event.

Hodsdon asked Johnston if the employees had already been vetted by Johnston before they could work a security function. Johnston stated that he has hired a state approved security instructor to come in teach a class before employees work and that he is bringing a fingerprint station to fingerprint everyone before the event. Hodsdon asked Johnston how long he thinks it would take for the state to review those items. Johnston stated that he was not sure how long it would take for the state to review them. Johnston stated that when he read the code they could work temporarily as long as there is a certified license holder present while the state reviews their applications. Hodsdon asked Johnston where he found that information. Sandoz stated that they can work in a training capacity but cannot work a post. The board also discussed that there was no way the background checks have to be run through the BCA and would not be done in time. Cook stated that from a public safety standpoint, he is very concerned about unqualified security personnel working the event.

Hodsdon asked the Board for their opinion. Sandoz stated that he believes Johnston's staff is doing some form of security work and that Johnston needs a security license. Sandoz stated that he does not think Johnston should've accepted the contract or taken payment knowing what he knows. Moitzheim and Hessel agreed with Sandoz.

Hodsdon asked the Board if they believe that Johnston needed a security license for the event he had already done. Hodsdon stated that the staff did a nice job providing a sequence of events to the Board. Hodsdon stated that Johnston's application arrived on May 16th, 2019 and that it shows that on July 8th, 2019 Johnston started communication with staff and every few days after that date. Sandoz stated that he does think Johnston needed a security license to work at the previous event G2G had worked. Hodsdon stated to Johnston that the consensus is that the Board would have to find that on the event date did engage in the unlicensed activity of providing paid security. Johnston stated that if he broke the law in Minnesota, it was not intentional or on purpose. Hodsdon stated that if Johnston has been providing unlicensed activity they have no choice but to say Johnston is ineligible to get a license to do security functions for a year. Hodsdon continued by stating that if the Board is following state law, he doesn't see how he would legally be able to grant Johnston a license at that time.

- **Motion:** Sandoz made a motion to deny Johnston's license, but Johnston may reapply July 14th, 2020. Moitzheim seconded. Motion carried.

Cook stated to Johnston that per Chapter 14 Minnesota State Law he has the right to a contested case hearing. Cook stated that staff would send Johnston a notification regarding the right to a contested case hearing. Johnston thanked the Board.

13. NEW APPLICANTS – CONSENT AGENDA:

Applicant Business Name:	Badlands Security Group, LLC
Type of License Applying For:	Corporate Protective Agent

Hodsdon stated that everything seems to be in order and asked Cook if there was anything else to report. Cook stated there was nothing else to report. Hodsdon asked the Board for a motion to approve the license.

- **Motion:** Hessel made a motion to approve the license. Sandoz seconded. Motion carried.

Applicant Business Name:	Hanrahan Investigations, Inc.
Type of License Applying For:	Corporate Private Detective

Hodsdon stated that there appeared to be no issues and met qualifications. Hodsdon asked Cook if there was anything else to report. Cook stated there was nothing else to report. Hodsdon asked the Board for a motion to approve the license.

- **Motion:** Moitzheim made a motion to approve the license. Sandoz seconded. Motion carried.

Applicant Business Name:	Watson Express, LLC
Type of License Applying For:	Corporate Protective Agent

Hodsdon stated that we are still waiting for proof of insurance. Hodsdon asked Cook for an update. Cook stated that the applicant is waiting on the Boards action and stated that the applicant did not want to invest in an insurance policy until they were granted a license. Cook stated this has been done in the past. Hodsdon agreed and asked the Board for a motion to approve the license contingent on submission of proper insurance.

- **Motion:** Moitzheim made a motion to approve the license contingent on the submission of proper insurance. Hessel seconded. Motion carried.

Applicant Business Name:	Thomas Tracy
Type of License Applying For:	Individual Private Detective

Hodsdon stated that this individual understands the distinction between security and investigations. Hodsdon stated that it was a positive that this individual has been reading the statutes and rules. Hodsdon asked Cook if there were any additional comments. Cook stated there was not. Hodsdon asked the Board for a motion to approve the license.

- **Motion:** Sandoz made a motion to approve the license. Moitzheim seconded. Motion carried.

Applicant Business Name:	North Country Protection, LLC
Type of License Applying For:	Corporate Protective Agent

Hodsdon asked Cook if there were any additional comments or issues. Cook stated there was not. Hodsdon asked the Board for a motion to approve the license.

- **Motion:** Sandoz made a motion to approve the license. Hessel seconded. Motion carried.

14. OFFICER CHANGES:

License Holder Business Name:	AgTac Services, LLC
License Type/Number:	PAC 2024
Type of Officer Change (MM, QR, CFO, CEO):	MM

Hodsdon asked Cook to explain the Letter of Explanation that was provided to the Board. Cook stated that the letter provided is to explain that the Minnesota Manager Applicant was Jeffrey Pughsley. Pughsley’s Air Force service was part of his 6000 qualifying hours. Cook stated this Pughsley was a security officer for AgTac Services from June 2018 to present. Hodsdon stated that he notes that Pughsley had some security experience in the Air Force. Sandoz asked Cook if AgTac Services has come before the Board before with the significant problems with background checks and promising that the new holder would take of the situation. Sandoz stated this is the third officer change for AgTac Services. Cook stated that person who was responsible for those issues is being replaced by Pughsley. Hodsdon proposed that the Board tables this officer change in order to give Pughsley an opportunity to come before the Board to explain how his service qualifies as a security function. Hodsdon asked the Board for a motion to table the officer change until the next Board meeting.

- **Motion:** Hessel made a motion to table the officer change until the next Board meeting. Sandoz seconded. Motion carried.

License Holder Business Name:	Whelan Security, Co.
License Type/Number:	PAC 297
Type of Officer Change (MM, QR, CFO, CEO):	QR & MM

Hodsdon stated that there were no issues with hours and that no issues were found. Hodsdon asked the Board for a motion.

- **Motion:** Sandoz made a motion to approve the officer change. Moitzheim seconded. Motion carried.

License Holder Business Name:	Whelan Event Staffing Services, Inc.
License Type/Number:	PAC 1144
Type of Officer Change (MM, QR, CFO, CEO):	QR & MM

Hodsdon stated that this was the same situation as the other officer change and asked the Board for a motion.

- **Motion:** Sandoz made a motion to approve the office change. Moitzheim seconded. Motion carried.

*** *The following officer changes are informational only:*

License Holder Business Name:	Whelan Security Co.
License Type/Number:	PAC 297
Type of Officer Change (CFO, CEO):	CEO

License Holder Business Name:	Whelan Event Staffing Services, Inc.
License Type/Number:	PAC 1144
Type of Officer Change (CFO, CEO):	CEO

License Holder Business Name:	ADC, LTD. NM
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License Type/Number:	PDC 1111/PAC 1087
Type of Officer Change (CFO, CEO):	CFO

License Holder Business Name:	American Security, LLC
License Type/Number:	PDC 903/PAC 1173
Type of Officer Change (CFO, CEO):	CFO

Hodsdon stated that the following officer changes were informational only and no action needed to be taken.

15. REQUEST TO SPEAK TO THE BOARD:

- **Dennis Logelin, Lakes Area Fire Security (L.A.F.S.)**

Cook stated they had a potential issue with an entity providing unlicensed security services named Lakes Area Fire Security (L.A.F.S). The agency had sent the L.A.F.S a notification advising them of the potential unlicensed activity and requested they speak to the Board to provide further details. Dennis Logelin, owner and representative of L.A.F.S was present. Logelin stated that the services they provide after a fire event are to board up the structure, keep people out, keep the area and evidence secure and turn over the scene to fire investigators. Logelin continued stating that L.A.F.S is mutual aiding with other fire departments because those fire departments do not have the staff to stay on scene and keep the scene pure. Logelin stated that the staff he has are firefighters and they have their own fire suppression equipment so they can handle a situation if a fire were to rekindle and save the evidence. Logelin stated that L.A.F.S. does scene surveillance, photographing, and reconstruction of accidents for State Patrol as well. Logelin stated that L.A.F.S. services are paid under fire services from insurance companies.

Hodsdon stated that mutual aid pursuant of Statute 471.59 requires government entity to government entity. Hodsdon asked if L.A.F.S. is a government entity. Logelin stated that no, he is contracted with State of Minnesota. Hodsdon stated that the one exception for mutual aid is for an unpaid non-profit fire department and a government entity, but L.A.F.S. is getting paid. Logelin stated that they are not being paid by the fire departments. Hodsdon said that L.A.F.S. is still being compensated for their work from insurance companies.

Hodsdon stated that he researched every possible legal way that a legitimate governmental focused joint powers agreement could be done between organizations such as L.A.F.S. and a public entity. Hodsdon stated that the conclusion is that it can't be done and the only legal way to do it is with a contract with a government entity. Hodsdon stated that everything that Logelin is saying to him, when he looks up security in the dictionary, he would see L.A.F.S. Logelin stated that he thinks they were getting out of the box for the sake of their qualifications and that their qualifications are regulated by the State of Minnesota. Hodsdon stated that it isn't about skills sets or qualifications, the Board was there to talk about whether or not what L.A.F.S. is doing is an activity that requires a security license. Hodsdon stated that he does not see how this isn't a clear case of a security function.

Sandoz stated that L.A.F.S. is not a fire department, that they pay their employees, and that they are compensated from insurance companies. Sandoz stated even if Logelin had an FD ID number and they were doing security, they still would need a security license by Statute.

Logelin stated that it makes sense, that he respects what the Board is saying, and that he will do what he needs to do to get a license. Moitzheim stated to Logelin to be advised that there are restrictions about promoting themselves as a security agency, so continuing to say security does not help Logelin's cause right now. Hodsdon informed Logelin to contact staff to assist with the application procedure.

16. OTHER ISSUES AND DISCUSSIONS:

- **Applicant: SUS Global Enterprises, LLC**

Cook stated that this applicant originally had submitted an incomplete application in February, 2019. Cook stated for the record that Kia Vue has diligently tried to work with the applicant to get the necessary required paperwork and to the current time still had not received the completed paperwork. Cook stated that in the previous week the CEO of this company put a stop payment on his check and Cook stated the check was NSF anyway. Cook stated the question he had for the Board was is the act of putting a stop payment on the check or the check being NSF considered a withdrawal. Cook stated that he knows it halts the application process, but the question is it a withdrawal or a consideration for denial at that time. Hodsdon stated that it would not be in the applicant's best interest for the Board to consider the application because the application is not complete. Hodsdon stated that stopping payment on a check is a voluntary act of actively withdrawing. Hodsdon stated that NSF would be grounds to not grant a license because the proper payment was not made. Hodsdon asked the Board for their opinion. Sandoz stated that he sees it as an act of withdrawal. Hessel and Moitzheim agreed with Sandoz. Hodsdon stated that the Board was in consensus and that they did not need to vote on the matter.

- **Complaint Committee Recommendation**

Sandoz stated that the Complaint Committee had been involved in reviewing a situation in which a subsequent issue was discovered involving Diana Bugos of Phantom Investigations. Sandoz stated that it is a long convoluted story and at the end of the day they found that when Bugos came to the Complaint Committee she admitted to using an unlicensed investigator as a part of an investigation. Sandoz stated the Complaint Committee determined that they had indeed used a person who was not a licensed investigator. Sandoz stated that the Complaint Committee's recommendation to the Board is that they issue a fine of \$499, and a Letter of Education. Hodsdon asked the Board for a motion.

- **Motion:** Hessel made a motion to the Complaint Committee's recommendation of a \$499 fine and a Letter of Education. Moitzheim seconded. Motion carried.

17. ANNOUNCEMENTS: NONE.

Hodsdon asked the Board for a motion to adjourn at 11:20AM. Hessel made a motion to adjourn. Moitzheim seconded. Motion carried.

Next meeting is scheduled for August 27, 2019 at 10am.