

STATE OF MINNESOTA

PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES BOARD

MEETING – February 28, 2011

LOCATION – 1430 Maryland Avenue East, St. Paul, Minnesota.

MEMBERS PRESENT – Jim Hessel, Pat Moen, Dave Bjerga and Steve Wohlman.

ATTORNEY GENERAL REPRESENTATIVE – Joan Eichhorst

EXECUTIVE DIRECTOR – Marie Ohman

The meeting was called to order at 8:47 a.m. Minutes of the December 27, 2010 meeting were presented for approval. Moen motioned approval of the minutes, second by Wohlman. The vote was unanimous. The minutes of the January 31, 2011 meeting were briefly discussed and postponed for further review at the March 28, 2011 meeting.

New Applicant

1. State-Wide Protective Agency, LLC
Troy Nadeau, Qualified Representative
7260 University Avenue N.E. #100
Fridley, MN 55432
Corporate/LLC Protective Agent

Nadeau was in attendance along with his legal counsel, Kyle Wermerskirchen. Nadeau presented several items referred to in a settlement agreement with Nadeau, including; a certificate from a business ethics course, a business plan that indicates he will proceed without capital investment from other parties, references from individuals that he has dealt with over the years, a statement concerning an outstanding judgment, agreement with an outside accounting service to review company finances, and confirmation that he had changed his website regarding training. Wermerskirchen indicated that it was Nadeau's representation that he has not engaged in unlicensed work since August 25, 2009.

The Board had received information concerning employees that were receiving W-2 forms that referred to their employer as State-Wide Protective Agency (rather than Robbe Protective Agency). Nadeau indicated that he had only learned of this the previous Friday, and that he doesn't review any of the financial information, and that the bookkeeper, who has been with Mark Robbe for 8 months to a year, was aware of Nadeau's company in Wisconsin, and that same person does his (Nadeau's) books in Wisconsin for his State-Wide company there. Nadeau noted that he brought with him a number of files, employee files and contracts, that reflect Robbe Protective Agency, which he states is also on the advertising.

Bjerga asked how the tax identification number for State-Wide get on Robbe documents. Nadeau indicated he did not know, adding that he has businesses that provide carpet cleaning and

limousine service that also bear the State-Wide name. Nadeau stated it was an error that State-Wide was referred to on W-2 forms. He indicated that approximately 15-30 W-2s had been issued.

Information had also been received by the Board indicating that an employee had not received full training as required. Nadeau stated that was incorrect, that he goes above and beyond what is required. Nadeau stated that in a class in July 2010, he conducted a 12-hour Preassignment course, using a power point presentation, with use of videos in the course of that presentation, emphasizing it was a 12-hour course.

When asked if he ever cut a class short, Nadeau stated he had never done that, it was a 2-day course. Bjerga asked if he'd ever had an employee show up for one day and miss the second day? Nadeau said that may have happened, but the sign-in sheet would have shown that the person had not attended the second day. Nadeau stated the person must be there for all 12-hours to receive a certificate, which he signs. Was it possible that one of the days ended at the 5-hour point? Nadeau said it could have, but that he typically provides 13 to 14 hours of training. Had Nadeau ever referenced himself as being owner of the company (Robbe Protective Agency)? Nadeau stated he did not.

Moen inquired as to anyone else he'd allowed to teach the course. Nadeau stated that occasionally he would have a supervisor come in to show staff what they should look like while working in uniform. Did he ever leave the training room? Nadeau indicated it was possible that he would leave to go to his office.

Board members discussed the qualification aspect of Nadeau's background, noting that he met the 6,000 hour threshold requirement for experience. Nadeau indicated that he runs his Wisconsin company from Minnesota, going to that state as needed, he has two people he's hired on commission there to gain business.

Members asked what will occur with his employment (with Mark Robbe) if he were to receive a license. Nadeau indicated that Robbe has serious health problems, and that he would look to purchase the accounts from Robbe. Nadeau indicated that Robbe has 15 to 30 employees on the books, not all are working regularly. Nadeau indicated that the Board could check with any of the clients (15 steady, some intermittent) regarding satisfaction with service.

Bjerga noted that the Board will look to an applicant's past as an indication of their future. Wermerskirchen noted that Nadeau is committed to the outside financial audit/oversight and that he took an ethics course. The Board took a brief break to review the items submitted by Nadeau. Upon reconvening, Wohlman motioned to grant the protective agent license to State-Wide Protective Agency, LLC, waiving Preassignment training for Nadeau, second by Hessel. In discussion, Wohlman noted that the business plan document received lacked detail, he expected more given it was an item specified in the settlement agreement. Nadeau apologized saying he'd

never done one before. Wohlman encouraged Nadeau to seek help on such items in the future; it would be beneficial to his company. Bjerga commented that Nadeau must take licensing seriously, that a good deal of work had gone into this process; he will need to do the right thing. The vote to grant was unanimous.

Guest

Diana Morrissey, Fagre and Benson, was present as local counsel to Advance Security. The Board spoke with Morrissey briefly regarding the submission of a change in Qualified Representative and Minnesota Manager for the company, and concerns of oversight of licensed activity. The Board postponed further discussion until the April 25, 2011 meeting.

License Reissuances

Finding all materials in order, the following license reissuance candidates were reissued unanimously (motion by Hessel, second by Wohlman):

1. National Insurance Crime Bureau
Robert Henderson, Qualified Representative & Minnesota Manager
1111 E. Touhy Avenue #400
Des Plaines, IL 60018
LOCAL: 1482 Goodwin Avenue
Oakdale, MN 55128
Corporate/LLC Private Detective
2. Jodi Hoffman
dba/Confidential Investigative Services
14751 482nd Avenue
Milbank, SD 57252
Individual Private Detective
3. Starlight Security, Inc.
Charles Vikre, Qualified Representative
14999 State Highway 371 N.W.
Cass Lake, MN 56633
Corporate/LLC Protective Agent
4. WayPoint, Inc.
Dennis Sackreiter, Qualified Representative
4760 White Bear Parkway #201
White Bear Lake, MN 55110
Corporate/LLC Private Detective

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5. John Wallace
dba/North Central Investigative Services
13667 Birnamwood Trail
Rosemount, MN 55068
Individual Private Detective
6. Information Reporting Services, Inc.
Sissel Dahl, Qualified Representative
2101 Hennepin Avenue #201
Minneapolis, MN 55405
Corporate/LLC Private Detective

Finding all materials in order, the following license reissuance candidate were reissued on a majority affirmative vote (motion by Moen, second by Hessel) (Wohlman abstained from this vote):

7. Knight Security, Inc.
Steven Wohlman, Qualified Representative
222 East Park Avenue
P.O. Box 739
Renville, MN 56284
Corporate/LLC Protective Agent

The following were unanimously issued contingent licenses, pending receipt of noted material (motion by Wohlman, second by Hessel):

8. Legal Express, Inc.
Michael Grostyan, Qualified Representative
9749 Alvarado Lane North
Maple Grove, MN 55311
Corporate/LLC Private Detective

*Insurance certificate and record check completion dates for employee.

9. Snoops Investigative Services, Inc.
Judith Johnson, Qualified Representative
185 South Lexington Parkway
St. Paul, MN 55105
Corporate/LLC Private Detective

*Verification that correct fee was paid, insurance certificate, armed status, and confirmation of BCA & FBI on Qualified Representative.

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10. Kantorowicz Investigations, LLC
Amy Kantorowicz, Qualified Representative
80 Huntley Lane
Waite Park, MN 56387
Corporate/LLC Private Detective

*Confirmation of BCA & FBI on Qualified Representative.

11. Hannon Security Services, Inc.
Jerome Maruska, Qualified Representative
9036 Grand Avenue South
Bloomington, MN 55420
Corporate/LLC Private Detective

*Training clarification for some employees, clarification on some hire dates and when BCA & FBI checks were completed.

12. A Infidelity Investigations, Inc.
dba/A Financial Integrity Investigations
dba/AFII
Hilary Kost, Qualified Representative
7953 200th Street
Lakeville, MN 55044
Corporate/LLC Private Detective

*BCA & FBI completion dates for Qualified Representative and employee.

13. SecureForce, LLC
Joseph Szorcsik, Qualified Representative
301 Sibley Street
Carver, MN 55315
Corporate/LLC Protective Agent

*Current & retroactive insurance certificates.

The following were unanimously issued contingent licenses, pending receipt of noted material (motion by Hessel, second by Wohlman):

14. Timmy Mundy
dba/Metro Protection & Investigation
3609 White Bear Avenue North Suite C
White Bear Lake, MN 55110
Individual Private Detective

*Address change notice, with required administrative items (bond & insurance), clarification on employees, whether operating as an LLC, current insurance in correct format, 2009 & 2010 training documentation, 1st Aid and CPR certification, and noted insurance lapse.

Board members discussed the status of Mundy's materials, Moen indicating that an update would be needed at the March meeting, with Mundy being subject to appear at the April meeting if significant progress had not been made on the outstanding items. Hessel and Wohlman agreed that this would be a part of their motion.

Lapsed License

1. Garda CL Great Lakes, Inc.
_____, Qualified Representative
Robert Miller, Minnesota Manager
201 Schofield Drive
Whitehall, OH 43213
LOCAL: 527 Aldine Street
St. Paul, MN 55104
Corporate/LLC Protective Agent

The Board discussed that this company had not submitted a reissuance application; however there had been phone communication from Miller, the Minnesota Manager, indicating that he was working on the application. Wohlman motioned that a contingent license be granted, with Miller to appear at the March 28 meeting of the Board, second by Hessel. The vote was unanimous.

2. Kenneth Lolling
dba/Iron Range Investigations
7785 Stromberg Road
Embarrass, MN 55732
Individual Private Detective

The Board was informed that Lolling had submitted his license certificate, with indication of surrender. The Board took no other action, other than to direct correspondence to Lolling that his license had expired.

Contingent License Matters

The Acumen Group, Inc.
Winfield Erickson, Qualified Representative
Corporate/LLC Private Detective

The Board discussed that the company had not been able to supply evidence that three of the five employees conducting licensable work had BCA and FBI record checks performed. There was also a change in Chief Financial Officer without notice as required by statute. Bjerga motioned that the contingency be extended, and if there was no resolution to this item (that such evidence could be provided) Erickson would need to attend the March 28 meeting. The Board will consider penalty at the March meeting. The motion was seconded by Moen. The vote unanimous.

Claims Bureau
Brain Landry, Qualified Representative
Craig Anglin, Minnesota Manager
Corporate/LLC Private Detective

There remains to be information on the Affidavit of Employee Training needed in connection with hire dates for employees as well as issuance dates of identification, and completion dates for BCA and FBI record checks. Hessel motioned that that the contingency be extended, and if there was no resolution to these items, Anglin would need to attend the March 28 meeting. The Board will consider penalty at the March meeting. The motion was seconded by Bjerga. The vote unanimous.

Princess Trucking, Inc.
Judy LeFebvre, Qualified Representative
Corporate/LLC Protective Agent – Vehicle Escort Only

Wohlman motioned that the license be reissued, and that a letter of education and conciliation be sent regarding response to BCA and FBI record check completion (that they could not confirm had been done), as well as clarification on some hire dates for employees and when they received Preassignment Training. The motion was seconded by Moen. The vote was unanimous.

Pendum, LLC
_____, **Qualified Representative**
_____, **Minnesota Manager**
Corporate/LLC Protective Agent

Ohman requested that the Board extend this contingency in their response to some of the outstanding items may relate to the change in positions that are being proposed. Moen motioned extension, second by Hessel. The vote was unanimous.

Penalty Considerations

Henry Langer
Individual Private Detective

The Board reviewed Langer's penalty history in connection with lack of compliance with training requirements. They found Langer to be culpable and had demonstrated a pattern in this area. They found a presence of potential for harm, though no actual harm had been reported. Wohlman motioned a \$200.00 Administrative Penalty, second by Hessel. The vote was unanimous.

Loss Prevention Specialists, Inc.
William Urban, Qualified Representative
Corporate/LLC Private Detective

The Board reviewed issues related to this firm's reissuance, reviewing prior penalty history areas. They found the company to be culpable and responsible for promptly responding to the reissuance process, but also that the license holder must prompt in its responses to Board communication. They considered potential and actual harm as well. Bjerga motioned the imposition of a \$100.00 Administrative Penalty, second by Wohlman. The vote was unanimous.

**Port-O-Wild's Security Services, Inc.
Robert Green, Qualified Representative
Corporate/LLC Protective Agent**

The Board discussed the company's compliance with training and criminal history record check requirements. They found the company to be culpable and responsible for compliance with requirements, noting the potential for harm for non-compliance, noting that no actual harm had been reported. Bjerga motioned that a letter of education and conciliation be issued regarding these compliance areas, second by Wohlman. The vote was unanimous.

**SA Security, LLC
John Adams, Qualified Representative
James Hessel, Minnesota Manager
Corporate/LLC Protective Agent**

The Board discussed the company's compliance with training, having employees that had not received Preassignment Training within the first 21-days of employment. The company had provided that while it was true, that their contract with the one client they have is that no officer will work at a site until they have completed Preassignment Training. Hessel noted as well that the dates of "hire" referenced on the affidavit are dates that a person was offered employment; they have made a note of this for the future. The Board took no disciplinary action.

Discussion

*Ohman referenced budget information shared with the House Public Safety and Crime Prevention Policy and Finance Committee, noting board history as well as fiscal years that there was money returned to the general fund.

*A response was received from Ambassador Protection Services, Inc. (from New York) and there will be some follow up concerning their presence in Minnesota.

*Long Prairie Police Department has charged an individual for unlicensed services.

The next meeting of the Board will be Monday, March 28, 2011, 8:30 a.m. at 1430 Maryland Avenue East, St. Paul, MN.

The meeting adjourned at 11:40 a.m.