

STATE OF MINNESOTA

PRIVATE DETECTIVE AND PROTECTIVE AGENT SERVICES BOARD

MEETING – June 27, 2011

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

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

ATTORNEY GENERAL REPRESENTATIVE – Joan Eichhorst

EXECUTIVE DIRECTOR – Marie Ohman

The meeting was called to order at 8:35 a.m. The minutes of the May 23, 2011 meeting were presented for approval. Spence motioned to adopt those minutes, second by Wohlman. The vote was unanimous.

New License

1. Patrick McPherson
3023 31st Avenue North
St. Anthony, MN 55418
Individual Private Detective

McPherson plans to work in the area of asset searches for attorneys and will expand as he is able. He has no initial plans for employees, and will not be armed. Members noted that several past employers have recommended McPherson very highly. Spence motioned to grant the license, waving Preassignment training, Moen seconded. The vote was unanimous.

2. JBM Patrol and Protection Corp.
Randall Olson, Qualified Representative & Minnesota Manager
3110 Kingsley Way
Madison, WI 53713
LOCAL: To be determined.
Corporate/LLC Protective Agent

Mankowski, business owner, has a business in Wisconsin with approximately 200 employees. The company provides basic security and patrol services to apartment complexes, banks and office buildings. He plans expansion into Minnesota, therefore he seeks licensing.

Candidate Olson indicated his understanding of the difference between the Private Detective license and the Protective Agent, and that both are separate application processes. Olson noted that in recent months he has been working as an employee of QualPro (a licensed protective agent).

Spence discussed with Olson, the matter that Olson cannot use his law enforcement contacts to gain information to use in a private business. Olson indicated he understood and would abide by the restriction.

Members-questioned Olson about issues that appeared in local newspapers.

Mankowski indicated he was comfortable with Olson as his Qualified Representative and Minnesota Manager. Mankowski added that he too has been a police officer for some time. Mankowski noted that his aim is to function with integrity and lawfully. At this time he is prepared to say that he trusts that Olson will follow policy and procedure. Mankowski plans to manage Olson's activities through email, phone and visits. He had looked into Olson prior to offering the position to him.

Olson stated that his POST license is inactive, with one year remaining on that license.

Olson indicated that there is no initial plan to be armed, but is aware of training that is needed in the event that changes.

Spence motioned to grant the license, waiving Preassignment training. Wohlman inquired as to Olson's supervision experience. Olson indicated that he did so with patrol and with the Gang Strike Force. Wohlman also asked about his knowledge and experience in security audits and surveys. Olson stated that he done so as it pertained to assignment of personnel and crime trends. Hessel seconded the motion. The vote carried with affirmative votes from Spence, Hessel and Bjerga. Negative votes were cast by Moen and Wohlman.

License Reissuance

The following licenses were unanimously reissued (motion by Wohlman, second by Moen) having found all materials in order:

1. Phoenix Security Company (The)
dba/Phoenix Security, Inc.
dba/ Phoenix Security
James Young, Sr. Qualified Representative
513 Sutherland Drive
Woodbury, MN 55129
Corporate/LLC Protective Agent
2. Qualpro Services, Inc.
dba/Quality Protective Agency
Barbara Gurler, Qualified Representative
17930 8th Ave N
Plymouth, MN 55447
Corporate/LLC Protective Agent
3. William Raduenz
dba/Paramount Investigations & Protective
Agent Services
1520 Fremont Avenue North
Minneapolis, MN 55411
Individual Protective Detective
4. Lind Investigations, Ltd
Richard Lind, Qualified Representative
10817 Hackberry Lane North
Champlin, MN 55316
Corporate/LLC Private Detective

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5. William Gowin
dba/Gowin Investigative Services
1411 Franklin Avenue Southeast
Minneapolis, MN 55414
Individual Private Detective

The following licenses were contingently reissued, pending the receipt of noted items (motion by Moen, second by Wohlman). The vote was unanimous.

1. Tom Kohrs
dba/Tom Kohrs Pilot Cars
206 Pioneer Road
Red Wing, MN 55066
Individual Protective Agent

*Current insurance.
2. Paul Ernst
dba/The Crossroads Agency
13527 190th Avenue Northwest
Elk River, MN 55330
Individual Protective Detective

*Bond rider and current insurance.
3. Walter Barfknecht
dba/Tonna Security Services
644 Rice Lake Street
Owatonna, MN 55060
Individual Protective Agent

*Armed status.
4. AER Investigations, Inc.
Brent Erdman, Qualified Representative
1927 2nd Avenue Southeast
Rochester, MN 55904
Corporate/LLC Private Detective

*Current and retroactive insurance, training affidavit for correct years, further training documentation.
5. ADP Screening & Selection Services, Inc.
Angeline Ibarra, Qualified Representative & Minnesota Manager
301 Remington Street
Fort Collins, CO 80524
LOCAL: 813 Belland Avenue
St. Paul, MN 55127
Corporate/LLC Private Detective

*Record check completion.
6. DECO, Inc.
dba/DECO Security Services
Andrew Pierucki , Qualified Representative
11140 Zealand Avenue North
Champlin, MN 55316
Corporate/LLC Private Detective

*Assumed name use confirmation, number of employees, role of Qualified Representative, numerous issues on affidavit of training.
7. O'Brien Services, Inc.
dba/O'Brien & Associates
Edward O'Brien, Qualified Representative
Jack Haldeman, Minnesota Manager
562-I Aberdeen Road
Frankfort, IL 60423
REGIONAL: 208 Holmen Drive
Holmen, WI 54636
Corporate/LLC Private Detective

*Role of Qualified Representative, record check completion, numerous training questions.

8. Eide Bailly, LLP
Jeremy Bendawald, Qualified Representative
Jason Olson, Minnesota Manager
4310 17th Avenue South, P.O. Box 2545
Fargo, ND 58108
LOCAL: 5601 Green Valley Drive #700
Bloomington, MN 55437
Partnership Private Detective

*Information on partner, numerous questions
on affidavit.

LAPSED

K. Bares & Associates, Inc.
Kirk Bares, Qualified Representative
965 Logan Lane
South Saint Paul, MN 55075
Corporate/LLC Private Detective

There was no response to either initial or second notice communications to Bares. There was no other communication from Bares. The Board took no action; the license will expire on June 30, 2011.

Guest

David Glendenning was present, requesting to speak with the Board regarding an application matter. He has established a relationship with a company from Florida, The Insight Group, LLC. He explained that the company is licensed in numerous states, and the company wishes to expand into Minnesota. The application was returned to the company as there were numerous areas that required attention. Glendenning took issue with the need for original documents, saying there was no instruction that documents needed to be original. He continued, stating that his time with one employer should be sufficient. He indicated that he is qualified and is of good character and wishes the Board to issue a license. There was no information for the Board to review. Bjerga noted that he could understand Glendenning's concerns; however it is difficult for the Board to review an applicant for license without that information presented after processing. Wohlman referred to the statute needs that refer to the information regarding employment history and documentation for the background investigation process. Ohman noted that there are items that require submission by the company, including Glendenning. The Board directed that the application be processed, hopefully for the next meeting.

Contingent Matters

May:

Unified Investigations & Sciences, Inc.
Michael Ling, Qualified Representative & Minnesota Manager
Corporate/LLC Private Detective

The company had not fully complied with statute concerning the change in a corporate officer, taking several months before completing the application document process for the change. Bjerga motioned a \$100.00 administrative penalty; citing prior history, culpability and potential for harm. Hessel seconded the motion. The vote was unanimous.

April:

Northland Investigative & Protective Services, Inc.
Robert Byman, Qualified Representative
Corporate/LLC Private Detective

There was an issue with the company's insurance that raised questions as to its compliance with statute. Byman had indicated that he would be submitting alternative proof of financial responsibility; however that was for a prior time period, and his present circumstance remains to need attention. Other issues were a bond relating to an address change, an employee that needed to make up training and a training item from Byman.

Bjerga motioned to extend this matter to the next meeting, Hessel seconded. The vote was unanimous.

Joynes, Shellum and Good, LLC
Stephany Good, Qualified Representative
Corporate/LLC Private Detective

There was needed training for 2009 and 2010 training for 1 employee. Spence motioned to extend the matter to the next meeting, second by Moen. The vote was unanimous.

Cadfael Investigative Group, Inc.
Thomas Rucke, Qualified Representative
Corporate/LLC Private Detective

The company needed current and retroactive insurance documentation, additional training hours for Rucke (2009) and completion of record checks. Bjerga motioned to extend the matter until the next meeting, if Rucke did not complete he would have to appear, second by Hessel. The vote was unanimous.

March:

Examination Management Services, Inc.
dba/ICS – Merrill
Bruce Sederstrom, Qualified Representative & Minnesota Manager
Corporate/LLC Private Detective

There were several issues related to this company, the Board directed several things one of which was to identify and submit materials for anew Qualified Representative as well as an updated position description for Sederstrom that would include his authority to supervise and direct work in Minnesota. The company had submitted the new candidate and an update description as required. The Board noted that they will discuss further details regarding oversight when the candidate appears for review. Wohlman motioned that the contingency be lifted and a \$150 administrative penalty be issued, finding that the company is culpable, there was potential for harm and that there was a penalty history. The motion was seconded by Moen. The vote was unanimous.

February:

SecureForce, LLC
Joseph Szorcisk, Qualified Representative
Corporate/LLC Protective Agent

The Board had extended this matter to this meeting, having imposed a \$250.00 administrative penalty for failure to complete criminal history record checks and to promptly respond to the reissuance process. As there are as yet no results from the criminal history process, the Board did extend that matter until the next meeting, when Szorcisk must attend if he cannot evidence that they have been completed (motion by Bjerga, second by Wohlman). At the time the Board will consider further penalty. The vote was unanimous.

Timmy Mundy
dba/Metro Protection & Investigation
Individual Private Detective

Remaining to require attention was that of acceptable insurance and surety bonding. In each instance the Board will consider penalty regarding lapses as well. Spence motioned to extend the matter to the next meeting, and he must attend if he has not complied, second by Hessel. The vote was unanimous.

Garda CL Great Lakes, Inc.
_____, Qualified Representative
Robert Miller, Minnesota Manager
Corporate/LLC Protective Agent

Miller was present at the meeting with William Damery (Qualified Representative candidate) and Ron Bradley (their training officer). Ohman noted there are several areas that still require the company's attention; confirmation of required surety bonding, information on the number of employees they have, many questions concerning their training affidavit, training documentation needed on Miller, application documentation needed for a change in corporate officer. Additionally it was noted that they had failed to file a prompt reissuance application and failed to have an approved Qualified Representative in place.

Counsel refreshed those attending on the Tennessee Warning they signed on a previous visit with the Board as to the use of information they provide.

Miller came with a copy of a bond, commenting that the number of employees wanting to understand what they would be reporting (as not all perform licensable services). Damery believed the correct number of employees is 103. He indicated that they are working a new affidavit, to more accurately reflect when the company took over other businesses; they will identify correct employment dates, perform required record checks, as well as update training details. Miller did not have information regarding the change in corporate officer.

Bjerga observed that this application remains in significant disarray from the Board's perspective.

Damery stated that what was needed is support from their corporate office representatives. Spence noted that the corporate officials need to know that failure to respond may affect the company's ability to do business in Minnesota. Damery noted that in connection with training they are looking to other approved providers to get employees up to date on training.

Wohlman noted that the license is in peril and that the company, both locally and corporately, must do everything necessary to be in compliance. Damery indicated they will be working on all the necessary areas. It was suggested that the company have the material to be reviewed in by July 15, providing an opportunity to review prior to the Board's next meeting. Spence motioned that the matter be extended to the July 25 meeting, second by Moen.

Spence noted that if there are continuing problems with corporate support on completing this process, perhaps a corporate representative should accompany them to the next meeting. Counsel also reminded the company that the license could expire, which would mean no business could be conducted and they would have to reapply. It is essential that the company respond well before the next meeting to allow time for review. Damery indicated he would be

trying to respond. Bjerga noted that the Board does not want to see people out of work, the company needs to respond. The vote was unanimous.

December

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

It was noted that confirmation of the completed criminal history checks have now been received, however, in the interim the company no longer has a Minnesota Manager. Moen motioned to lift the contingent status of the license and issue a letter of education and conciliation (based on culpability and potential harm) be issued, second by Hessel. The vote was unanimous.

Training

Bill Gordon of Advance Security attended with Dianna Morrissey their local counsel to discuss some of their training items. They had assumed that their training proposals would be on this agenda, not knowing that they would need to respond to specifics given to them by the training liaison group.

They commented that their Preassignment training was extensive with qualified instructors. The armed training (for a continuing training firearms course) they were seeking only to reaffirm it (as it was previously approved by the Board). They had also submitted both Initial and Continuing Armed courses for Taser®.

Ohman noted that there was not sufficient course content for an Initial Armed course, but only one course narrative. One course was identified as being 6-hours in length, the other 8-hours.

Morrissey indicated they wished for the training to be approved at this meeting. Wohlman and Hessel, who are on the liaison group, recalled the issues of compliance that Ohman noted. Spence noted he was reluctant to bypass the process the Board has been using.

Ohman did note that with the submission of instructor documentation on a person the company wishes to add to their approved 1st Aid and CPR course, the Board could act on that item. Hessel motioned that Roberta Martin be added as an instructor the Advance Security's approved 1st Aid and CPR course, second by Wohlman. The vote was unanimous. The remaining courses require the company's attendance and review by the liaison group.

Training Memo

Having reviewed the information regarding the following items, Spence motioned that the following approvals occur, second by Moen. The vote was unanimous.

1. **Whelan Security Co** - Add Gary Geragi as instructor to their approved Preassignment Protective Agent course:
2. **Dunbar Armored, Inc.** - Add Greg Amon as instructor to their approved Preassignment Protective Agent, continuing training courses in Back Safety, Collision Avoidance and Indirect Air Carrier courses:
3. **Carney Forensics** – Approval for a continuing training (Private Detective) course; “Digital Forensics; Investigating Facebook, MySpace and Twitter Cracks Cases – 1.5 hours.

The Board, in discussing impacts of contingent license reissuances, in the event of a state government shutdown (effective July 1, 2011) the Board unanimously voted that those contingent licenses remain in that status until the Board’s next scheduled meeting following any shutdown (motion by Spence, second by Moen). The vote was unanimous.

The next intended meeting of the Board will be Monday, July 25, 2011 at 8:30 a.m. at 1430 Maryland Avenue East, St. Paul, MN 55106. In the event of a government shutdown, the next meeting of the Board will be identified at the appropriate time.

The meeting adjourned at 11:30 a.m.