

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

MEMBERS PRESENT: Richard Hodsdon, Jim Hessel, Douglas Belton, Melinda Elledge

MEMBERS NOT PRESENT: Jeff Hansen

ATTORNEY GENERAL REPRESENTATIVE: Stephen Melchionne

EXECUTIVE DIRECTOR: Greg Cook

ADMINISTRATIVE ASSISTANT: Stephanie Maresh

1. REVIEW OF APRIL 2020 MEETING MINUTES & MAY 2020 AGING REPORTS

Hodsdon opened up the meeting at 10:15AM. Hodsdon stated that the Board Meeting is being held remotely, which is authorized under Minnesota Statute 13D.021. Hodsdon then commenced review of the April 2020 Meeting Minutes and May 2020 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 April 2020 Meeting Minutes.

- **Motion:** Elledge made a motion to approve the April 2020 Meeting Minutes. Belton seconded. Motion carried.

2. TRAINING CONSENT AGENDA:

| TYPE | PROVIDER/LICENSE HOLDER | AGENCY NOTES |
|------------------------|---|---------------------|
| New Training Course | Dean C. Mikel | No issues found. |
| New Training Course | American Security & Investigations | No issues found. |
| New Training Course | American Security & Investigations | No issues found. |
| New Training Course | American Security & Investigations | No issues found. |
| New Training Course | American Security & Investigations | No issues found. |
| New Training Course | Front Line Consultants LLC | No issues found. |
| New Training Course | Educatedinvestigator.com | No issues found. |
| New Training Course | Educatedinvestigator.com | No issues found. |
| New Training Course | Educatedinvestigator.com | No issues found. |
| New Training Course | Steven Zerwas – Personal Protection, Inc. | No issues found. |
| New Training Course | Steven Zerwas – Personal Protection, Inc. | No issues found. |
| Instructor Application | American Security & Investigations | No issues found. |
| Instructor Application | Dean C. Mikel | No issues found. |
| Instructor Application | G4S Secure Solutions (USA), Inc. | No issues found. |
| CEU Request | Jeffrey Jindra | No issues found. |

Hodsdon asked Cook if staff recommends approval. Cook stated that was correct. Hodsdon asked the Board for a motion to approve the Training Consent Agenda.

- **Motion:** Elledge made a motion to approve the Training Consent Agenda. Hessel seconded. Motion carried.

3. RENEWAL CONSENT AGENDA:

| LICENSE HOLDERS |
|--|
| PDC 942 – Arden Investigations, Inc.** |
| PDC 2064 – Blue Bear Investigations, LLC** |
| PDI 1115 – Charles Richard Anderson |
| PDC 1107 – HireRight, LLC |

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

Hodsdon extended appreciation to the license holders who got their renewals in on time even though Executive Order 20-25 allowed them more time. Hodsdon asked the Board for a motion to approve the Renewal Consent Agenda.

- **Motion:** Hessel made a motion to approve the Renewal Consent Agenda. Elledge seconded. Motion carried.

4. RENEWALS WITH ISSUES:

PDC 2067 – Third Shore Investigations, Inc.

Hodsdon stated that there was a proof of preassignment issue, so the licensee took the preassignment course again. Hodsdon asked Cook if there was anything else to report. Cook stated that there was nothing else to report and that the license holder made sure to correct the issue. Hodsdon asked the Board for a motion to renew the license.

- **Motion:** Elledge made a motion to renew the license. Belton seconded. Motion carried.

PDC 1036 – Inspection Services Group, LLC

Hodsdon stated that the renewal is complete but that there may be an issue with the continuing education. Hodsdon asked Cook for an update. Cook stated that the license holder was experiencing high volumes of business and the continuing education got away from him. Hodsdon stated that it seems that the issue has been remedied. Hodsdon asked what the pleasure of the Board was.

- **Motion:** Hessel made a motion to renew the license. Elledge seconded. Motion carried.

PDC 2065 – Kaczmarek & Associates, Inc.

Hodsdon stated that the renewal is complete and that there was an issue with insurance. Hodsdon asked Cook for an update. Cook stated that the agency has received the current insurance certificate but have not received the first year's proof of insurance. Hodsdon asked what the pleasure of the Board was and if there was a motion.

- **Motion:** Hessel made a motion to renew the license contingent upon receipt of their insurance certificate. Belton seconded. Motion carried.

Not Ready for Board Review:

- PAC 2068 – Guardian Protective Agency
- PDC 2066 – iUNLIMITED INCORPORATED
- PDI 2010 – Kirk Bares
- PDC 2067 – Semper Fi Security, LLC

Hodsdon stated that because of Executive Order 20-25, no action needed to be taken at that time.

5. CURRENT CONTINGENCIES:

APRIL CONTINGENCIES – STATUS WOULD END IN JUNE

PDC 2062 – Anonymous Investigative Services, LLC

Hodsdon stated that the renewal is complete subject to an insurance issue. Hodsdon asked Cook for an update. Cook stated that the agency is waiting for proof of insurance and that the licensee cannot find copies of a couple of the background checks for himself and two others. Cook continued by stating that the license holder stated that he could not get copies of the background checks from the BCA after inquiring. Hodsdon stated that the BCA said that they could not release the data, so that tells him that the data does exist but it is protected by data practices. Hodsdon asked the Board for a motion to renew the license contingent upon receiving insurance documents.

- **Motion:** Elledge made a motion to renew the license contingent upon receipt of their insurance certificate. Belton seconded. Motion carried.

Not Ready for Board Review:

- PDC 936 – Stroz Friedberg, LLC
- PAC 2063 – Hard Target, Inc.

Hodsdon stated that because of Executive Order 20-25, no action needed to be taken at that time.

MARCH CONTINGENCIES - STATUS WOULD END IN MAY

Not Ready for Board Review:

- PAC 2005 & PDC 2006 – Universal Security Corp.

Hodsdon stated that because of Executive Order 20-25, no action needed to be taken at that time.

FEBRUARY CONTINGENCIES – STATUS WOULD END IN APRIL

PAC 210/PDC 1105 – G4S Secure Solutions (USA), Inc.

Hodsdon stated that this license is currently tabled and that there were two options. Hodsdon stated that they could keep it tabled until next month or take the license off the table for discussion. Hodsdon asked the Board for a motion. Cook stated that staff had a conference call with G4S to try and really understand what the issues are. Cook stated that one of the main issues is that they had some of their unarmed officers taking armed training and asked if the Board would allow that training to be accepted.

Cook continued that the second issue has to do with date ranges and scheduling with their CEUs. Cook stated that it has boiled down to a total of 241 instances. Cook requested a little more time and that the Board continue to table it until next month. Hodsdon stated that hearing no motion, the license will remain tabled until next month.

PDC 1106 – McDowell & Associates, Ltd.

Hodsdon stated that the renewal is now complete. Hodsdon stated that he remembered some issues, but believed the license had no disciplinary history. He deferred to Cook to confirm. Cook stated that he thought he could remember a disciplinary history being present but that it was searched and not found, that would have to be what the Board uses for reference. Hodsdon asked what the pleasure of the Board would be, given a lack of paperwork and lack of disciplinary history. Hodsdon stated that he believed the options would be to renew or to renew with a Letter of Education and Conciliation. Hodsdon deferred to the Board. Elledge inquired what the Board traditionally decides in matters similar in issues, and if the staff felt that a Letter of Education would be necessary with the current case. Cook explained what a Letter of Education does for license holders in their file and that it could result in later discipline. Elledge asked if Cook felt it would be necessary with the case. Cook confirmed.

- **Motion:** Elledge made a motion to renew the license with a Letter of Education. Hessel seconded. Motion carried.

Not Ready for Board Review:

- **PAC 2053 – Intermediate District 287**
- **PAC 2052 – Boutchantharaj Corporation**

Hodsdon stated that because of Executive Order 20-25, no action needed to be taken at that time.

- **PDC 2057 – Archangel Investigations & Protection, Inc.**

Hodsdon stated that notes indicate that this licensee is surrendering and requesting reimbursement for the renewal. Cook stated that the license holder is wondering if they could be prorated a refund in regards to their renewal. Cook stated that they have never given a refund regarding a renewal and statutes do not indicate the process with reimbursement for renewals. Cook clarified that the agency has not received an official request to surrender yet but they are questioning the refund for the renewal if they do surrender. Elledge stated that a refund does not seem appropriate and that there is no statutory authority for it. Hodsdon agreed with Elledge and state that no action needed to be taken and that staff now has some direction.

6. LAPSED LICENSES:

- **PDI 929 – Warren J. Robinson**
- **PAC 1190 – Blueline Services**

Hodsdon stated that because of Executive Order 20-25, no action needed to be taken at that time.

7. EXPIRED LICENSES: NONE

8. SURRENDERED LICENSES:

- **PDI 1118 – Allen Garber**

Hodsdon stated that surrendered licenses were informational only and no action was required by the Board.

9. NEW LICENSE APPLICANTS – TABLED: NONE.

10. NEW LICENSE APPLICANTS – PRESENT:

| | |
|-----------------------|-------------------------------------|
| NAME OF ENTITY | All American Protection Agency, LLC |
| LICENSE TYPE | Corporate Protective Agent |

Hodsdon asked Cook for an update. Cook stated that there were no issues found regarding All American Protection Agency, LLC’s application and that Matthew Gear was present. Hodsdon welcomed Gear and asked the Board if they had any questions for Gear. Elledge and Belton stated they had no questions. Hodsdon stated that with agency staff’s recommendation, he entertains a motion to approve the license application.

- **Motion:** Belton made a motion to approve the license. Elledge seconded. Motion carried.

| | |
|-----------------------|-----------------------------|
| NAME OF ENTITY | Terch and Associates LLC |
| LICENSE TYPE | Corporate Private Detective |

Hodsdon welcome Terch and stated that staff indicated that there were no issues. Hodsdon asked Cook for an update. Cook stated that there were no updates. Cook stated that there have been issues in the past involving people who specialize in human resource issues and conducting investigations without a license. Cook continued by stating that Terch wanted to ensure that he is compliant with all of the statutes in doing that type of work. Terch stated that was correct. Hodsdon stated that he appreciated Terch wanting to be on the right side of the rules. Hodsdon asked the Board if they had any questions and if there was a motion to approve the license.

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

| | |
|-----------------------|--------------------------------------|
| NAME OF ENTITY | S.A.F.E Management of Minnesota, LLC |
| LICENSE TYPE | Corporate Protective Agent |

Hodsdon stated that there was a discussion point regarding Minnesota Tax ID number and asked Cook for further explanation. Cook stated that S.A.F.E. Management was the general contractor for the Super Bowl a couple years ago. Cook stated that they were previous license holder and they let their license expire after the Super Bowl, but are now looking at other opportunities in Minnesota. Cook stated that that S.A.F.E. Management is asking if they need a Tax ID number right now while they do not have any

business. Cook continued by stating that S.A.F.E. Management would obtain a Minnesota Tax ID number once they start getting business. Guthrie clarified that the Department of Revenue indicated that they want people to have a Minnesota Tax ID Number prior to providing licensable services. Guthrie stated that the question is whether S.A.F.E. Management needs the Minnesota Tax ID number before getting their license or before providing services. Hodsdon stated that he thinks the Board has the authority to issue the license and that he believes the applicant will comply with getting the Minnesota Tax ID number. Hodsdon asked the Board for a motion to approve the license.

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

| | |
|-----------------------|-------------------------------------|
| NAME OF ENTITY | Black Knight Protection Agency, LLC |
| LICENSE TYPE | Corporate Protective Agent |

Hodsdon stated that there appears to be some issues with application questions. Hodsdon asked if the Qualified Representative was present. David Junior stated that Terry Brown was unable to make it to the meeting. Hodsdon asked who Junior was. Junior stated that he was the owner of Black Knight Protection Agency. Hodsdon stated that he had some concerns because in these in-person situations, the Qualified Representative is present. Hodsdon stated that the CEO/CFO positions are informational positions and the accountability falls on the Qualified Representative/Minnesota Manager. Hodsdon asked Junior what arrangements could be made to get Brown on the call. Junior stated that it was his understanding that it could be either himself or Brown on the call to answer questions. Hodsdon asked what the pleasure of the Board was. Belton stated that his thought would be to table the application until the Board has the opportunity to speak with Minnesota Manager. Hessel agreed with Belton. Guthrie stated for most of the qualifying hours is with one of the agency’s license holders and also stated that the specific license holder was unable to sign/refused to sign. Guthrie stated that was one of the agency’s concerns because that work experience makes up most of the 6,000 hours of required work experience. Guthrie stated that the agency is trying to get ahold of that license holder to verify the information. Hodsdon stated that in light of that information, he is even more inclined to table the application. Hodsdon asked the Board for a motion.

- **Motion:** Belton made a motion to table the application. Hessel seconded. Motion carried.

11. NEW APPLICANTS – CONSENT AGENDA: NONE.

12. OFFICER CHANGES:

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|----------------------------------|----------------|
| NAME OF ENTITY | HireRight, LLC |
| LICENSE TYPE & NUMBER | PDC 1107 |
| TYPE OF CHANGE | MM |

Hodsdon stated that there is a request for a change in Minnesota Manager and a request for a waiver of preassignment training. Hodsdon asked for a motion to approve the officer change.

- **Motion:** Elledge made a motion to approve the officer change. Hessel seconded. Motion carried.

Hodsdon stated that the rationale given for the preassignment waiver request was that the person has been working for quite a while as a licensed investigator in another state. Hodsdon stated that historically the Board often will not even waive preassignment for law enforcement officers. Hodsdon continued by stating that one of the reasons for the training requirement is so that people are familiar with Minnesota Statutes and Rules. Hodsdon asked Hessel for his thoughts. Hessel stated that the Minnesota Manager should go through the preassignment training and that it would be very beneficial to do so. Elledge agreed. Belton stated that the training is designed to acclimate the people who will be practicing in the State of Minnesota with how the State does things. Hodsdon stated that hearing no motion, the preassignment waiver has not been issued.

13. REQUEST TO SPEAK TO THE BOARD:

14. OTHER ISSUES AND DISCUSSIONS:

- **Removal of Notary signature requirement on forms**

Cook stated that on applications and some other documents, the agency asks for signatures to be notarized. Cook stated that when looking through statutes, the agency cannot find where it states that it is required. Cook continued by stating that the agency is looking for Board direction to see if the notarization process can be taken off of agency documents as he is trying to streamline the process and make it easier for applicants and license holders. Hodsdon stated that if the statutes do not require that the applications be submitted under oath, he is not sure that they could criminally prosecute someone for perjury. Hodsdon stated that he understands that it is becoming more difficult to find notaries these days. Hodsdon stated that one suggestion is to get rid of the notary and implement statutory language. Hodsdon suggested another option be to get rid of the notary signature completely. Hodsdon asked the Board for their thoughts. Elledge agreed with Hodsdon's suggestions. Melchionne stated that he does not know of anything in the private detective statutes that requires a notarization. Hodsdon stated to Cook that he is not sure that this is something that would require Board action either way if it is an administrative matter. Hodsdon suggested that Melchionne, Cook, and himself discuss this matter outside of the Board meeting after they do more research. Hessel, Elledge, and Belton agreed to that statement.

- **Protective Agent/Private Detective Continuing Education**
 - **CEU Request Application – Hawkeye Investigative Services, LLC (Dean Scherf)**

Hodsdon asked Cook for an explanation. Cook stated that this is a matter where a licensed private detective was taking a protective agent armed course and was requesting CEU credit for the armed course. Hodsdon asked if the course had been reviewed or if it was more of an abstract question for the Board. Cook stated that Kaylin Smith will explain further. Smith stated that the course has been reviewed, but it is more of a general question for the Board, as well as for the application. Hodsdon stated that he knows that the HR-218 has a legal component as well as the range component. Hodsdon stated that as long as it has the legal aspect, he would not mind making it applicable for private detectives, as well as protective agents. Hodsdon asked if staff or the Board had any other comments. Cook stated that staff had no other comments. Belton stated that he agrees with Hodsdon's previous points and that the point of continuing education is to continue to enhance the training of the security officer or private detective. Belton continued by stating that he thinks that as long as the course meets the criteria, it is okay. Hessel stated that he has been operating under HR-218 for some time and that he

thinks it is beneficial. Elledge agreed. Hodsdon asked the Board for a motion to approve the Request for CEU's Application.

- **Motion:** Elledge made a motion to approve the Request for CEUs. Hessel seconded. Motion carried.
- **Website Bio's**

Hodsdon asked Cook for an update. Cook stated that the agency is preparing to have a webpage on the website that has some information about the Board and its members. Cook stated that he is just updating the Board on it and will post the bio's after hearing back from all of the members.

15. ANNOUNCEMENTS: NONE.

Cook stated that he had one announcement to share. Cook stated that Kaylin Smith has graduated from St. Thomas with a Bachelor's Degree in Criminal Justice. The Board members congratulated Smith on her graduation. Smith thanked the Board.

Board Chair: We may be having a closed session per the statute below. *If necessary, please read these statutes out loud for the record.*

16. CLOSED SESSION: Pursuant to Minn. Stat. 13D.05, subd. 3 (b) attorney-client privilege discussions.

Next meeting is scheduled for June 30, 2020 at 10:00 AM.

Hessel stated that he had one last thing before adjourning. Hessel stated that he is on the Board of Directors with MAPI (Minnesota Association of Private Investigators) and that he puts on two annual conferences every year. Hessel continued by stating that the spring conference was cancelled and that the fall conference may be cancelled as well. Hessel asked if there was a remedy for private investigators to get their continuing education credits. Hodsdon stated that there are a number of courses that are available to take online. Smith stated that there is a list on the agency's website with all of the online courses that are available to take. Hodsdon asked the Board if there was a motion to adjourn.

- **Motion:** Hessel made a motion to adjourn. Belton seconded. Motion carried.