

THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

Minutes
July 1, 2010

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Office of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on July 1, 2010.

MEMBERS PRESENT

Edward Mercer, Chairman
Roger McDonald, Police Officer
Daniel Triplett, Private Investigator
John L. Logdon, Private Investigator
Craig Newbern, Attorney General's Counsel

OCCUPATIONS & PROFESSIONS STAFF

Frances Short, Executive Director
David Garr, Deputy Executive Director
Adriana Lang, Board Administrator

MEMBERS PRESENT

Mary Pedersen, Citizen at Large
Kathryn Witt, Sheriff

OTHERS PRESENT

Angela Evans, Board Counsel
Jordan McDonald

CALL TO ORDER

The Chairman, Mr. Mercer, called the meeting to order at 1:05 p.m.

APPROVAL OF MINUTES

The minutes of June 3, 2010 regular meeting was called to the attention of the members. A motion was made by Mr. Newbern to approve the minutes as presented. The motion, seconded by Mr. Logdon, carried unanimously.

FINANCIAL STATEMENT

The Board reviewed the Financial Statement indicating the balance \$131,019.97 from July 1, 2009 to June 30, 2010. Ms. Evans informed the Board that on the Attorney General (AG) bill for the hourly rates was incorrect because it shows \$125.00 instead of \$100.00. A motion was made by Mr. Logdon to accept the Financial Statement as presented. The motion, seconded by Mr. McDonald, carried unanimously.

LICENSURE STATUS REPORT

The Board reviewed the licensure status report as of July 1, 2010.

DIRECTOR'S REPORT

Mr. Short provided the following report:

- 1) An e-mail from Schroeder Measurement Technologies (SMT) regarding Client Score Reporting Procedures.
- 2) A copy of the correspondence dated June 16, 2010 from the Board to SMT.
- 3) A copy of the Draft Memorandum of Agreement between the Commonwealth of Kentucky and the Kentucky Board for Licensure for Private Investigators.
- 4) Introduced Jennifer Smith as the new Internal Policy Analyst II.
- 5) Expressed concerns about an angry Private Investigator licensee, awhile in the Office of Occupations and Professions behaving inappropriately towards staff members and that the licensee became very irate towards staff members when staff advised him that his renewal was incomplete. Ms. Short stated that for that reason, the Public Protection Cabinet authorized to increase security in the building. Mr. McDonald encouraged staff members to contact call 911 if staff members feel threatened by licensees, applicants or any member of the public. The Board requested Ms. Short to put the incident in writing and send it to the Complaint Committee for a review.

LAWS AND REGULATIONS COMMITTEE REPORT

The Laws and Regulations Committee met on June 29, 2010 at 10:00 a.m. at the Office of Occupations and Professions 911 Leawood Drive, Frankfort Kentucky. Mr. Triplett and Ms. Evans provided the following report:

- 1) Reviewed and discussed the draft of the 240 Rule.

LAWS AND REGULATIONS COMMITTEE REPORT CONTINUED

- 2) Reviewed and suggested amendments for the draft of the new Application for Reinstatement for A Sole Proprietor/Company License.
- 3) Reviewed and suggested amendments for the new Application for Individual Reinstatement.
- 4) Reviewed the new Application for Individual Renewal.
- 5) Reviewed the new Application for PI Company License Renewal. The Board agreed to discontinue this draft form.
- 6) Reviewed and suggested amendments for the draft of the new Application for Renewal (Sole Proprietor/Company).
- 7) Reviewed and suggested amendments to the draft of the new Temporary Employee Registration Form.
- 8) Reviewed the draft of the new PI Tracking Quarterly Report Form.
- 9) Reviewed the draft of the new Applicant Instructions for Company.
- 10) Reviewed the draft of the new Applicant Instructions for Private Investigator Individual.
- 11) Reviewed the draft of the Application for Licensure- Private Investigator.
- 12) Reviewed the draft of the new Application for License- Private Investigator Company.
- 13) Reviewed the draft of the new Authorization for Release of Medical and Psychological Records.
- 14) Reviewed the draft of the new Authorization for Release of Records to the Kentucky Board of Licensure for Private Investigators.

The Board reviewed all forms. The Board agreed to table the forms until the Laws and Regulations Committee review and make necessary amendments to the Name/Address change and the Formal Complaint Form. The Board further agreed to number each form and to place the date which the forms are incorporated by regulations.

The Laws and Regulations Committee scheduled their next meeting for August 17, 2010 at 10:00 a.m. at the Office of Occupations and Professions.

NEW BUSINESS

The Board reviewed informational correspondence from the U.S. Department of Justice, Federal Bureau of Investigation (FBI).

Mr. Newbern informed the Board that he accepted a new position with the Public Advocacy Branch and for that reason, he will no longer serve as a Board member. The Board thanked Mr. Newbern for his work as a Board member. Mr. McDonald made a motion to accept Mr. Newbern's resignation. The motion, seconded by Mr. Logdon, carried unanimously.

APPLICATION REVIEW COMMITTEE

The Applications Review Committee met at 11:00 am.

Mr. McDonald made a motion to approve the application via reciprocity as follow. The motion, seconded by Mr. Triplett, carried unanimously.

INDIVIDUAL APPROVED VIA RECIPROCITY: *Dean Hodges*.

Mr. McDonald made a motion to approve the application with provisions as follow. The motion, seconded by Mr. Triplett, carried unanimously.

INDIVIDUAL APPROVED WITH PROVISIONS: *William Hanks*.

Mr. McDonald made a motion to defer the application as follow. The motion, seconded by Mr. Newbern, carried unanimously.

INDIVIDUAL DEFERRED: *Jessica Ferguson*.

Mr. McDonald made a motion to approve the application as follow. The motion, seconded by Mr. Logdon, carried unanimously.

REINSTATEMENT APPROVED: *Michael McSwain*.

APPLICATION REVIEW COMMITTEE CONTINUED

Mr. McDonald made a motion to approve pending the application as follow. The motion, seconded by Mr. Logdon, carried.
RENEWALS APPROVED PENDING: *Daniel Steers* to provide proof of liability insurance with his name listed as the insured. Mr. McDonald made a motion to approve a one year extension to complete 12 hours of continuing educations pursuant to 201 KAR 41:070 (9). The motion, seconded by Mr. Logdon, carried unanimously.

Mr. McDonald made a motion to defer the applications as follows. The motion, seconded by Mr. Logdon, carried unanimously.
RENEWALS DEFERRED: *Advantage Surveillance, Inc.* and *William Gregory* to provide additional documentation from the Virginia Licensure Board. *Warren Nicholson* to provide proof of liability insurance and continuing education. *William McAuliffe* to provide proof of liability insurance with his name listed as the insured.

Mr. McDonald made a motion to approve the application for continuing education as follow. The motion, seconded by Mr. Triplett, carried unanimously.
CONTINUING EDICATION APPROVED: 2010 Advanced Insurance Fraud Seminar, November 15-16, 2010 approved for 12.25 hours.

TRAVEL AND PER DIEM

A motion was made by Mr. Triplett to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. The motion, seconded by Mr. Logdon, carried unanimously.

ADJOURNMENT

The Chairman, Mr. Mercer informed the Board that the next meeting is scheduled for Thursday August 18, 2010, at 1:00 p.m., the Application Review Committee Meeting at 11:00 a.m. Having no further business to be brought before the Board, a motion was made by Mr. Logdon to adjourn. Motion seconded by Mr. Triplett, carried unanimously. The meeting adjourned at 2:41 p.m.

APPROVED