

PRIVATE INVESTIGATORS LICENSING BOARD

MINUTES

December 8, 2010

MEMBERS PRESENT:

DAVID SPENCER: BOARD CHAIRMAN

JIM NADEAU: BOARD MEMBER

MARK ZANE: BOARD MEMBER (LAS VEGAS)

RICHARD PUTNAM: BOARD MEMBER

ROBERT UITHOVEN: BOARD MEMBER

OTHERS:

MECHELE RAY: EXECUTIVE DIRECTOR

TAMMY WHATLEY: INVESTIGATOR

THORAN TOWLER: ACTING BOARD COUNSEL

KIM OKEZIE: ACTING BOARD COUNSEL

JOE DUPUIS: INVESTIGATOR

ELYSE GRESNICKSMITH: COMPLIANCE AUDITOR

MIKE BERINGHELE: INVESTIGATOR

BRANDI KING: ASSISTANT

KIMBERLY CHRISTENSEN: ASSISTANT

Chairman Spencer opened the meeting. Executive Director Ray performed the roll call.

APPROVAL OF MINUTES:

Board Member Nadeau moved to approve the minutes for the September 22, 2010 and September 23, 2010 meetings. Board Member Uithoven seconded the motion, which passed.

FINANCIAL REPORT:

Executive Director Ray provided a financial report for the Board one of which was a spreadsheet that contained the percentages of monies spent in each category. She explained that the monies spent in the operating account exceeded more than 50% and not being through the first half of the year. She told the Board that she expected that to be the case and will be moving monies from other categories to transfer into the operating budget. She said she was watching the budget closely and that furloughs would be implemented in January of 2011.

SWEARING IN:

Board Counsel Towler swore in those present in Carson City and Las Vegas who were to testify or comment during the meeting.

STAFF REPORT:

Executive Director Ray provided the Board Members with the quarterly statistic report for this quarter. She read the report for the benefit of the Board.

PUBLIC COMMENT:

Chairman Spencer explained there would be public comment before and at the end of the meetings. He said the reason for adding it to the beginning of the meeting was for anyone who wished to comment on an item on the agenda, or just to comment, but did not want to wait until the agenda item was called or wait until the conclusion of Board business to comment.

James Cameron introduced himself to the Board. He said that he is running into difficulties with unlicensed security in Las Vegas. He expressed concerns that he had called the PI Board office and was told to put his complaints in writing or in an e-mail. He said that these agents come into Las Vegas and are here for a day or two and then they are gone. He said that they are coming into Gaming establishments undetected. He said that the concerns he had as a business owner are the patrons of the hotel. He said he understood that is regulated by the Gaming Commission or is the responsibility of the hotel but that he was concerned with the overall safety of all patrons and with unlicensed agents protecting movies stars and dignitaries that was cause for concern. He cited examples of unlicensed agents who do their own thing; Brittney Spears body guard was in Las Vegas and he said there was a body guard from Los Angeles who is a known felon and he has been in and out of Las Vegas several times. He suggested that the casinos be held responsible for the security of the people coming into town. He said that he recently was protecting dignitaries in Las Vegas and introduced himself to the Hotel as their security/personal protection and no one asked him for his credentials or to verify his licensing. He would like to see the casinos held responsible to ensure that licensed individuals are providing the personal protection in their establishments or to be sure that properly licensed local companies are providing the service and not individuals who are not licensed just coming in and doing a job and leaving. Counsel informed the Board that there could not be any discussion on the item; the public could make any comments but it was not on the agenda for discussion. Board Member Spencer asked if Mr. Cameron would like this to be placed on the agenda for the next meeting. Mr. Cameron said that he would like it to be discussed. Director Ray commented that the PI Board and the Gaming Control Board did conduct privileged licensing training and educated the Gaming industry on the statutes and regulations regarding the security industry. She said she would provide some information

at the next meeting regarding this issue. Mr. Robert Sulliman from Alarmco, license #608 told the Board that he was with a business that was getting ready to open who wanted night time security. As they began discussing pricing, the business owner told him that he could get a uniformed, unarmed security officer, unlicensed for much less. Mr. Sulliman said that he cannot compete with their price. He said unfortunately with the departure of Mr. Murphy there should be more investigators going out in the night time hours and conduct spot checks. Board member Spencer asked for specific names or businesses. He said he did not have any but was sure that there were other licensees that could provide names and specific examples. Board Member Spencer asked Mr. Sulliman if he would like this as a future agenda item. Mr. Sulliman told Chairman Spencer that if the security industry was polled there would be many that would vent their frustration on this issue. He said that it is very difficult for licensed security companies to compete with unlicensed security companies who mask themselves as licensed. Chairman Spencer commented that the Board needs to know about it before anything can be done about it. Chairman Spencer noted that we would put this on the next agenda for discussion.

Board Member Zane asked the Chairman if item #34 could be provided with a specific time due to child care issues. Chairman Spencer said they could consider the agenda item at 1:00pm.

CONSENT AGENDA:

Chairman Spencer explained for the benefit of the audience that the consent portion of the agenda was for those individuals who had a change in licensing status and had appeared in front of the Board previously or for corporate officer applicants who were not required to be in attendance at a Board meeting. He explained that the Board Members had the option to remove any of the items from consent should they wish to discuss the item further.

7. ** Securiguard, Inc. formerly License #1468, from Fairfax, Virginia is requesting a corporate Private Patrolman license. Charlie Boring is requesting that his individual Private Patrolman license be placed into abeyance so he may be the qualifying agent for Securiguard, Inc. Corporate officer to be approved is David Marvil and Director to be approved is Patricia Marvil. This is subject to all statutory and regulatory requirements.
8. ** SOC, Nevada LLC is requesting Corporate Officer status for John DiMarco. This is subject to all statutory and regulatory requirements.
9. ** GlobalOptions, Inc., License #1187 is requesting a corporate name change to GlobalOptions Services, Inc., dba GlobalOptions, Inc. Scott Cornelison is requesting to be approved as the qualifying agent. Corporate officer to be approved is Franklin Pinder. This is subject to all statutory and regulatory requirements.

Chairman Spencer asked the Board Members if they wanted to pull any of the items from the consent portion of the agenda. Hearing none, Chairman Spencer asked for a motion. Board member Nadeau moved to approve items 7-9, as listed on the agenda. Board member Putnam seconded the motion and it carried unanimously.

PRESENTLY LICENSED CORPORATIONS REQUESTING NEW QUALIFYING AGENT OR OTHER CHANGES IN LICENSE STATUS NOT ON CONSENT:

Intelliserve LLC, License #1545 requested qualifying agent status for Kyle Smith. Mr. Smith told the Board that Intelliserve was based in Phoenix, Arizona and they opened an office in Las Vegas. The previous qualifying agent left the company and he was seeking licensure as the qualifying agent. He told the Board he had twenty years of experience to be the qualifying agent. Board member Putnam moved to grant Kyle Smith qualifying agent status for Intelliserve LLC and to place his individual Process Server license into abeyance, subject to all statutory and regulatory requirements. Board member Uithoven seconded the motion which passed unanimously.

Zoe Security Corp LLC, License #1424 requested qualifying agent status for Earl White. Mr. White told the board he had been in the housing security for thirteen years and that he was the regional manager for Real Property Services and director of security for them. He said that he had been the Director of Security for Zoe for three years and was requesting approval as the new qualifying agent. Board Member Nadeau asked board counsel for clarification about the disposition of an arrest. Board counsel commented that it was his understanding that it was based upon the conviction of the arrest. Regardless of what the arresting offense was the conviction offense that is what the decision is based upon. Board Member Putnam moved to grant qualifying agent approval for Earl White for Zoe Security Corp LLC, dba Trinity Security Services, and to place his individual Private Patrolman license into abeyance, subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion, which carried.

Item number 25 was taken out of order.

Reno Tahoe Investigations applied for a corporate Private Investigator, Private Patrolman and Process Server license with Scott Armitage as the qualifying agent. Mr. Armitage told the Board that he was a former police officer for twenty three years. He did patrol and traffic investigations, traffic and SWAT. He retired with different career goals in mind and was given the opportunity to work for other private investigator firms. He then decided he qualified on his own and should obtain his own license. Board Member Putnam questioned Mr. Armitage regarding his Process Service experience. Mr. Armitage told the Board that he had this discussion with Investigator Beringhele. He told the Board he had never

worked for a process server company, but the statute calls for 2,000 hours. He read the definition to the Board and explained the situations that he felt qualified as service of process. He went on to say that he served thousands of documents and legal process throughout his career. He told the Board that he believed he qualified for the Process Server license. Board Counsel asked Mr. Armitage to reiterate his process server experience. He said that he served subpoenas to fellow officers and issued summons related to misdemeanors where on the form it says it is a summons and they are required to appear. Board member Nadeau asked if he ever served order to show cause or garnishment of wages or anything with regard to civil process. Mr. Armitage said that related to enforcement of an order related to family court or child custody; eviction process things like that. Board Member Nadeau asked if setting the traffic tickets and handing out subpoenas to fellow officers aside Mr. Armitage would say he spent 10 % of his time serving process. Mr. Armitage said it would be difficult to say if it would be 10% with removing those types of service. Chairman Spencer and Board Member Putnam also had concerns as to whether or not Mr. Armitage had the required process serving experience. He did not think that the examples that Mr. Armitage cited would qualify as process serving experience. Board Member Nadeau thought it was too broad to accept the normal day to day activities of a law enforcement officer to be considered for process serving time. Chairman Spencer asked if the other members were prepared to make a motion on the Private Investigator and Private Patrolman licenses. Chairman Spencer asked Board counsel if he could prepare an opinion for the Board to consider at the next meeting as to what defines service of process. Board counsel told the Board that the definitions are already in place and the Board has discretion. He said that if they wanted him to review the application he would do so and the Board could be prepared to discuss this issue further at the next meeting if requested. Mr. Armitage told the Board that he was willing to wait if the Board wanted to table the Process Server application. There was Board discussion in support of the Private Investigator and Private Patrolman applications and concerns related to the Process Server experience. Board Member Putnam suggested to Mr. Armitage that he work for a licensed process server until he had the required number of hours to apply. There was a comment from a member of the public, Greg Rentchler, who offered that if Mr. Armitage was granted his Private Investigator license he will be allowed to serve process in conjunction with an investigation and that Mr. Armitage failed to mention that he probably served warrants which may be considered service of process. Board Member Putnam moved to approve Reno Tahoe Investigations a corporate Private Investigator and Private Patrolman license, qualifying agent status and corporate officer status for Scott Armitage and an individual Private Investigator and Private Patrolman license to be placed into abeyance subject to all statutory and regulatory requirements. Board member Nadeau seconded the motion for purposes of discussion. Board Member Nadeau asked if the Board was going to take action on the Process Server license. Chairman Spencer thought that the Board would not take any action on the Process Server license at this meeting and it would be considered at the next meeting. Board Member Nadeau wanted to know if they had to act on the Process Server application. Board

Counsel said that the cleanest thing to do is act on each item. Board Member Putnam amended his motion to deny the Process Server license for Reno Tahoe Investigations. Chairman Spencer asked if the motion would allow that the application for Process Server license be continued at a later date. Board Member Nadeau said that he would withdraw his second if that was the amendment. Board Member Putnam's motion with an amendment to deny the Process Server license was accepted and seconded by Board Member Nadeau. The motion passed unanimously.

PRIVATE INVESTIGATOR:

Insight Services Group, Inc. applied for a corporate Private Investigator license with Patrick Reardon as the qualifying agent. Mr. Reardon told the Board that he had been a private investor for twenty years in Massachusetts and that he was licensed in 41 jurisdictions. Board Member Putnam asked Mr. Reardon to explain how he can oversee the day to day operations in Nevada with so many licenses in so many other jurisdictions. Mr. Reardon told the Board that it was his intention to secure the licenses throughout the country for Insight Investigations to meet their client base. Once they have work in Nevada they would seek a replacement qualifying agent for Nevada. He told the Board they currently do not have any work or employees in Nevada. Once they do they will replace him as the qualifying agent with someone that could oversee the day to day operations. Board member Zane moved to approve a corporate Private Investigators license for Insight Services Group, Inc., qualifying agent and corporate officer status for Patrick Reardon and an individual Private Investigator license to be placed into abeyance subject to all statutory and regulatory requirements. Board member Nadeau seconded the motion and it carried unanimously.

Item number 13, Excaliber Investigations, Inc., and John Rodriguez did not attend the meeting.

Gifford Consulting Group LLC applied for a corporate Private Investigator license with Don Gifford as the qualifying agent. Mr. Gifford told the Board that he has been in the engineering and contracting business for fifteen years after selling his engineering and contract company. He said that he was contacted by an attorney and over the course of the last 15 years he has been a forensic expert and worked 700 cases with the assistance of a number of employees who had electrical and fire expertise as well. Mr. Gifford said that he had approximately 70 – 80 cases active and 200 that are in between active and inactive. He said the type of work he does evaluate properties within the context of NRS 40 chapter pre-litigation. He said that he evaluates the construction of the property and ascertains what characteristics of the property meets or does not meet the code requirements. He is asked to testify to his findings in depositions. He said he evaluates, contracts and investigates the interactions between the individuals who are pertaining to those contracts and testify about those things in a court of law. He told the Board he was retained by state of Nevada Attorney General's office as a lighting expert in a

pending lawsuit involving an inmate who has sued the state because he does not have enough light. Mr. Gifford explained that he has testified as an expert in district court on the matters mentioned above in addition to being a fire expert. He told the Board that based upon his experience from the last 15 years he thought he had approx 25,000 - 30,000 hours of experience that purports work that reports very well with the statutory guidelines of NRS 648. Chairman Spencer asked if the Board members had any questions. Board member Putnam asked Mr. Gifford if Gifford had performed this work in the State of Nevada in which he replied yes for the last 15 years. Mike Kirkman asked the Board if Mr. Gifford had been an employee of the law firm for which he had been performing the work. Mr. Kirkman commented that he thought this was unlicensed activity and that the license should be denied. Chairman Spencer asked Mr. Kirkman specifically why he thought this was unlicensed activity. Mr. Kirkman responded that if Mr. Gifford has the qualifying experience and has been providing this service for the last fifteen years then it was experience that was obtained without a license and not as a bona-fide employee and therefore should not be considered as qualifying time. Mr. Gifford responded that his firm gets hired by attorneys and insurance companies and explained to the Board that if he was on the payroll of an attorney or an insurance company then he could not give an objective opinion. He said that facts, data and information from an evaluation of the documents and can render an objective opinion. Board member Spencer asked if this is based upon his education background. Mr. Gifford said that it was among other things. Chairman Spencer asked Mr. Gifford if he thought the work that he has done is considered investigative work. Mr. Gifford said that he did not know how else to describe it, even though he does not use the terminology "investigative". Board member Uithoven used the example of Mr. Gifford being hired by the Attorney General as a lighting expert to ask if when being hired by a client was it as an expert in his area of expertise? Mr. Gifford said that was correct. Chairman Spencer commented that he thought that was the case. That he was hired as an expert in a particular area and in the course of that there would be investigative functions that would need to be performed. Mr. Kirkman wanted to remind the Board that there was a similar situation that had been heard several times and reiterated that he cannot claim 10,000 hours of investigative work unless you are an investigator. Peter Maheu asked the Board when Mr. Gifford realized he needed a license. Mr. Gifford responded that he had received a letter a year and a half ago because the word Investigator appeared on his website. Mr. Gifford conferred with Investigator Jupp and provided a letter in response that explained the word investigator had been removed from the web site. Investigator Jupp asked Mr. Gifford if he had considered obtaining a license. Mr. Gifford said he reviewed the statutes and decided it would be a good idea for his business and that he would be an asset to the industry and the community. Deputy Attorney General Thoran Towler asked to comment on the public comment "you can't have it both ways". Mr. Towler read the definition "must have experience as an investigator or the equivalent thereof as determined by the Board." Mr. Towler explained that investigative experience can be gained in other professions other than being a private investigator. Board member Nadeau thought that based

upon Mr. Gifford's education and being licensed as an engineer that his perspective of those things are being used as an engineer and not as an investigator. Based on the dialogue he saw a distinction that he may have gained investigative experience based on his background as an engineer and not as a private investigator. Chairman Spencer read the NRS 625.050, definition of practice of professional engineers. Chairman Spencer thought that this was a situation that lends itself to either one considering his education and with the engineering side can by definition include investigation. He thought that the word "investigation" was a word that can be used by a lot of things and not have it be a private investigator. Board member Nadeau commented that he saw a distinction between what Mr. Gifford has been doing and those individuals who had come before the board and went beyond the scope of reviewing documents and records and then went a step further in interviewing witnesses. Mr. Gifford commented that it was not his responsibility to interview the witnesses. He said that was for the attorney to do. His job was to evaluate the situation based upon his experience and education and then testify in a court of law as to his opinion. Board member Zane commented that there was a distinction between the individual who had come before the Board previously brought to the Board was the fact that the person did not have a license and did not have an engineering background persé. Anything that you get outside the purview reviewing reports, analyzing data and giving your expert opinion and testifying in court for issues that didn't involve this Board, but when you take steps to inquire independently of the reports already prepared and contact agencies to gather data you needed to have a license. We may be looking at an engineering background that provides for investigations within their definition which may provide an avenue to count toward the investigative experience required for licensure. Peter Maheu asked the Board that if a license was granted for this applicant would that mean that all engineers would be qualified to obtain a Private Investigator's license. He said that he was confused by Board member Zane's comments and it sounded to him that was the direction the Board was headed. Chairman Spencer asked Board member Zane to repeat his comment. Board member Zane said that in this particular case the applicant provided two or three certificates in support of experience and qualifications where the attorneys hired Mr. Gifford's company for his expertise in handling the subject he is qualifying to handle. Mr. Gifford indicated that interviewing witnesses were up to the attorney. Board member Zane said that the overall wide ranging attributes that the Board is looking for from a licensee in considering the hours we would accept for qualifying experience and would need to be separated out and whether or not there was 10,000 hours outside the hours of his expert experience. He has an outstanding background as an expert, but based on the information provided he was concerned as to whether or not there is 10,000 hours of investigative time. Board member Putnam agreed. Mr. Gifford explained more of the things he would be hired to do and why he felt that should count towards his experience to become licensed as a private investigator. Chairman Spencer commented that he understood the comments from the public and from Mr. Gifford. There was additional public comment. Board Member Uithoven commented that the purpose of the Board was to

protect the public and based upon advice that Mr. Gifford received to obtain a license, he completed an application, an investigation was conducted and the investigation concluded that no unlicensed activity had been conducted. He commented that Mr. Gifford is not a threat to the public should he be granted a license. He said that he understood the concerns of all, but felt they needed to be addressed by the Board and not Mr. Gifford. He said he did not feel that the flood gates would open should the license be granted to Mr. Gifford and that if the Board needed to tighten up the definition that would be for the Board to look at. He felt that was a separate issue than what was in front of them in considering Mr. Gifford's application. Board member Uithoven moved to approve a corporate Private Investigator license for Gifford Consulting Group LLC, qualifying agent status for Don Gifford, and individual Private Investigator license to be placed into abeyance and member status for Don Gifford and Ramona Gifford. Board member Nadeau seconded for purposes of discussion. Board member Putnam came back to his comment from earlier that if his work falls under the definition of a private investigator which gives him the hours to qualify for the license, then he has been working unlicensed for the last 15 years and he falsified his application. If we don't call it unlicensed activity and we don't call it Private Investigation work then he does not meet the qualifications for the license and therefore would not support the motion. Board member Zane said that he was not unconvinced that an applicant could not obtain qualifying experience from different sources and believed that the engineering license provides for a certain amount of investigatory experience. His difficulty was that the CSEQ do not attribute to specific investigative experience. He wondered if staff could further evaluate the information provided on the CSEQ to determine a breakdown of qualifying time. Board member Nadeau commented that this was a difficult discussion. He said that he felt that he has been working within the scope and authority of his engineering license. He acknowledged that Mr. Gifford was not the typical applicant that comes before the Board. An engineering license does not automatically translate into investigative hours such as an applicant who came from a law enforcement agency. His difficulty is to nail down and quantify the amount of hours of qualifying investigative experience is. Chairman Spencer shared the same concern. Board member Zane asked if it would be possible to have the applicant provide additional information and have staff quantify the hours of qualifying time. Board member Nadeau suggested they vote on the current motion first. Board member Uithoven repeated his motion. There was Board discussion and advice from counsel. The motion died in opposition to the motion made. Board members Putnam, Nadeau, Spencer and Zane were opposed.

Board member Nadeau moved to table the item if the applicant would like to provide additional information to quantify hours that were specific to investigation. Point of order from Board member Putnam that said another motion could not be made. Board member Uithoven commented that Mr. Gifford had the ability to apply and provide additional information that would quantify his investigative hours. Board member Nadeau withdrew his motion. Mr. Gifford thanked the Board for their time and apologized for taking so much of it.

Item 22 was taken out of order.

Anita Salisbury applied for an individual Process Server license. Ms. Salisbury told the Board she had eighteen and a half years with Elko County and of that fourteen years serving civil process. She told the Board she was the only process server and has knocked on more doors than any deputy. She told the Board that prior to her career with Elko, she spent fifteen years with the FBI. Board member Spencer moved to approve an individual Process Server license subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion which carried unanimously.

ELK 1 Enterprises LLC dba Certified Fraud Examinations and Recovery applied for a corporate Private Investigator license with Edward Kravetz as the qualifying agent. Mr. Kravetz told the Board he was with Las Vegas Metropolitan Police Department for twenty six years and retired from the white collar crime unit. Chairman Spencer asked Mr. Kravetz if anyone had questioned him utilizing Certified Fraud Examinations in his dba. Mr. Kravetz responded that no one had questioned him at this time. Board member Putnam moved to approve a corporate Private Investigator license for ELK 1 Enterprises, dba Certified Fraud Examinations and Recovery, qualifying agent and corporate officer status for Edward Kravetz and an individual Private Investigator license to be placed into abeyance subject to all statutory and regulatory requirements. Board Member Uithoven seconded the motion which carried unanimously.

Items # 16, 16a and 33 were combined. Director Ray explained that Transcor was applying for a Private Patrolman license because the Board concluded several meetings ago that private transportation companies required licensure as a Private Patrolman and that because Correction Corporation of America, LLC is the parent company of Transcor America LLC it is required that a background be done on the top three officers of the parent corporation. She explained that this was briefly discussed at the previous meeting and due to inquiries as to whether or not CCA was licensed it was decided to put it on the next agenda for discussion.

Transcor America LLC applied for a corporate Private Patrolman license with Najah Hasan as the qualifying agent. Ms. Hasan told the Board that Transcor was headquartered out of Nashville, Tennessee and partners with the US Marshall's office. She told the Board she was been employed with Transcor for six and a half years. She told the Board she became a supervisor in December of 2009 and has transported thousands of inmates and detainees to fulfill the contracts for their customers. Ms. Hasan explained the requirements for the employees. Chairman Spencer asked about the policies and procedures and if any other states have requested copies of such. Mr. Bojanowski said that he was not aware of having to supply a state with copies of their policies and procedures. Ms. Hasan said that if there is an incident they contact a road dispatch and the vehicles are all equipped with GPS so that the location of the vehicle is known at all times. Board Member Putnam asked Ms. Hasan about page 22 of

the investigation questionnaire and asked her to explain her answer. She said the answer to the questions should have been no. Board member Nadeau moved to approve the corporate Private patrolman license for Transcor America LLC, qualifying agent status for Najah Hasan, and individual Private Patrolman license to be placed into abeyance for Ms. Hasan and member approval for James Kennedy, Curtiss Sullivan and Elceria Smith subject to all statutory and regulatory requirements. Board Member Putnam seconded the motion which carried unanimously.

Corrections Corporation of America, the parent company of Transcor America LLC, requested corporate officer approval for Paul Seiter, Bart Verhulst and Steven Conry. Board member Nadeau moved to approve Paul Seiter, Bart Verhulst and Steven Conry subject to all statutory and regulatory requirements. Board member Putnam seconded the motion and it passed.

Item #33 taken out of order:

Board discussion and possible action to determine if Correction Corporation of America or any private prison facility or company located in Nevada should be required to obtain a private patrolman license. Timbo Bojanowski explained that Correction Corporation of America is headquartered in Nashville and that they partner with the US Marshall's office. He told the Board that they have 65 facilities in 25 states. Chairman Spencer asked if they were required to be licensed in any of the other states they provide services in. Mr. Bojanowski responded that they are not. CCA has assured the US Marshall's office that they will go above and beyond to ensure that they will do everything to protect the community and the protection of the citizens of the State of Nevada and said that they were voluntarily putting themselves in front of the Board should the Board determine a license would be required. He went on to say that they had done this in other states so that each jurisdiction could evaluate the situation and make their own determination. Mr. Bojanowski thought that Nevada law already provided an exemption from them obtaining a license when individuals are employed to administer a program of supervision who are in residential confinement. Board member Nadeau asked if the facility located in Pahrump only handles federal US Marshall prisoners or federal prisoners. The response was that it was for prisoners from the US Marshall and ICE. Chairman Spencer asked if there were employees who lived in Nevada. Ms. Hasan responded that all Transcor employees stay in Nevada. Board member Nadeau asked if there is any federal exemption from licensure by the states for the personnel as guards for the facility or anything that precludes the state of Nevada from licensing. Board member Nadeau asked if Mr. Bojanowski would agree that the folks are security personnel as defined in NRS 648, armed or unarmed. He thought they probably would be defined as that; however, they may be exempted from NRS 648.018. Director Ray told the Board that she thought there was a clause in the contract between the US Marshall's office and CCA that required them to obtain a work card. She said she did not have a copy of the contract that contains the specific language. Board member Zane commented that if we

required that the facility would need to be licensed then all of the necessary statutes and regulations would apply. Chairman Spencer asked if a copy of the contract could be supplied to the Board. Mr. Bojanowski asked if there was anything else the Board would like? Board member Nadeau said that he did not see where there was the exemption that Mr. Bojanowski kept referring to. Mr. Bojanowski said that he did not have the applicable statute in front of him but he could provide the Board with a letter and the contract. Chairman Spencer said we could provide an answer at our next regularly scheduled meeting. Mr. Bojanowski said he would be more than happy to provide the information. Board member Zane made the motion to continue this item for consideration to the first quarterly meeting of 2011. Board member Nadeau seconded the motion which passed.

Rock Security LLC applied for a corporate Private Patrolman license. Greg Rentchler was requesting qualifying agent status and if approved asked to have his individual Private Patrolman license placed into abeyance. Member to be approved was Justin McEwen. Mr. McEwen told the Board that his experience was in residential development. Mr. Rentchler told the Board that his experience was in law enforcement and that he received his Private Investigator and Private Patrolman license about five years ago. He said that he shared a lot of the same visionary ideas that Mr. McEwen did and he thought this would be a good opportunity to professionalize the industry. Mr. Putnam asked Mr. McEwen about the citations he received for unlicensed activity. Director Ray said that the citations had been paid in full.

Board member Putnam moved to approve a corporate Private Patrolman license and that Greg Rentchler be approved as the qualifying agent and his individual Private Patrolman license be placed into abeyance and that Justin McEwen be approved as the member of Rock Security LLC, subject to all statutory and regulatory requirements. Board member Uithoven seconded the motion which passed.

Item # 34 was taken out of order

Valerie Rupp and Sydney Stern of Las Vegas Pro Serve Holdings, LLC appealed citation number C-090-10.

Deputy Attorney General Thoran Towler called Investigator Whatley as his first witness. He distributed exhibit 1 to the Board members. Mr. Bruce Tizes requested a copy. Director Ray said that the exhibits had just been faxed to Las Vegas. Deputy Attorney General Towler asked Mr. Tizes how he was related to the respondents in this case. Mr. Tizes responded that he and Ms. Rupp had been together on and off for twenty three years and that Sydney was a dear friend. He said that he was the managing member. DAG Towler asked if Mr. Tizes was a lawyer. He said he attended law school but was not a lawyer. DAG Towler asked if Mr. Tizes would be presenting the case and he responded that they would be doing it together. DAG Towler objected to having Mr. Tizes as part of the case. Mr. Tizes responded to the objection and said that he was a witness and that he may have information regarding the

licensees. Board Counsel Okezie advised the Board that if he is presenting the case he would be acting in an attorney capacity and if he is a witness he should be called as a witness and not put on the case. It was determined that when it was time for him to be called as a witness he would be called up. DAG Towler asked Investigator Whatley to review the exhibits. He then asked her how she learned about Las Vegas Pro Serve. She explained that her office had received a phone call asking if Las Vegas Pro Serve was licensed. DAG Towler recapped exhibit 1, 2 and 3 and explained that what they showed is that there was a question with regard to unlicensed business activity which prompted an investigation by Investigator Whatley. In the course of her investigation she located an advertisement for Las Vegas Pro Serve on Serve Now.com with a telephone number. Investigator Whatley called the number and a female voice answered the phone as Las Vegas Pro Serve. For those reasons DAG Towler asked the citation be upheld. Valerie Rupp asked the Board to look at the e-mail from Vegas Pro Serve and that they did not place the ad, Susan Kruse placed the advertisement. Chairman Spencer asked the date of the e-mail. Ms. Rupp called Bruce Tizes as her witness. Chairman Spencer asked that anyone who had not been sworn in to please rise and be sworn in. Ms. Rupp asked Mr. Tizes if he wrote a letter to the Board on September 28, 2010. He said that he did, it was exhibit #3. He said he wrote the letter on behalf of Las Vegas Pro Serve Holdings and that Las Vegas Pro Serve did not take the action of placing the ad, but that Susan Kruse did and that the account at Serve Now.com had been created by Susan Kruse. He also wanted to point out that Ms. Rupp and Ms. Stern had been a registered employee and had been registered for some months and allowed them through the licensee, gives the licensee or the bona fide employee to engage in the type of business for which they are licensed. He said that even if this was an advertisement, Susan Kruse gave them that authority by statute. He went on to say that Ms. Rupp and Ms. Stern took the job of process serving very seriously and had grave concerns about Ms. Kruse's operations, specifically the way affidavits were being notarized. He felt that the complaint was sent to the Board because they did not agree with Ms. Kruse's business operation. Ms. Rupp wanted the Board to know that they did not place the advertisement, that Ms. Kruse placed the ad and they were not participants. They could not access the account because it was password protected. Ms. Rupp asked Investigator Whatley if she knew the identity of the person that inquired as to whether or not Las Vegas Pro Serve was licensed. She responded that information was not relayed to her. She did not know but said that it was Director Ray who brought it to her attention. DAG Towler asked if that was the normal process for telephone complaints. She said typically complaints are submitted in writing but in some cases, when we know the name and there is a pending licensing application she took the initiative to do some research.

Refer to Notes from meeting.....648.060 does not apply when a licensee is involved. It does not lend itself to start working as a company that is not licensed. Board member Putnam asked if Susan Kruse had a license. Investigator Whatley responded to Board member Putnam that Susan Kruse has a process server license for Vegas Pro Serve. She also told him that Ms. Valerie Rupp and Sydney Stern

were never registered under Ms. Kruse's process server license. Ms. Rupp told the Board that they did go through the registration process and received their registration card. Ms. Rupp told the Board that they termed their relationship with Ms. Kruse due to illegal activities in her office. Board member Nadeau asked if this information had been provided to the Board. Ms. Rupp said that Mr. Tizes called Mechele Ray and they had this discussion and she asked him to provide this as testimony. It was e-mailed to Mechele Ray on October 25, 2010. Board member Nadeau again asked Mr. Tizes to please be seated and if there is going to be cross conversations he was ready to move on and direct his questions to the individuals who the citation was issued to. Ms. Rupp and Ms. Stern said they did try to resolve issues with Ms. Kruse and had filed litigation against Ms. Kruse. Board member Putnam moved to uphold citation C-090-10. Board member Nadeau asked if they had applied for a license with the PILB. He asked about the language in the contract and if they were purchasing Vegas Pro Serve. Ms. Rupp said they wanted to purchase Vegas Pro Serve and do it within the legal parameters of the law. They would faze Vegas Pro Serve out over a period of two years and gain the experience. Board member Zane went over the timeline of when they formed the name with the Secretary of State in April and then entered into a contract with Vegas Pro Serve in June. He asked if they opened a checking account and if so when. They said approximately in July. He asked if the proceeds of the process service were deposited into the Las Vegas Pro Serve Holdings account. They responded yes, but not all of it. They thought that they kept 25% and the rest went to Ms. Kruse. The checks were made to Las Vegas Pro Serve they were deposited into the account and then a check issued to Ms. Kruse. DAG Towler commented that he thought there was a contract in April in addition to June but that he did not have a copy of it. Ms. Rupp thought that was probably the qualifying agent services contract. There was no second so the motion died. Board member Putnam asked if Ms. Kruse put her license in abeyance. Director Ray explained that Ms. Rupp and Ms. Stern were going to work as employees of Susan Kruse until the new corporation, with Susan Kruse as qualifying agent was approved by the Board. Susan Kruse has not been a qualifying agent; she holds an individual process server license. Board member Putnam moved to uphold citation #C-090-10. There was no second, the motion failed. Board member Nadeau moved to not uphold the citation. There was no second, the motion failed. Board member Putnam asked what the Board should do in this situation when it is an item that requires action. DAG Towler explained to the Board that the agenda cannot force the Board to act on a particular item. Board member Zane moved to uphold the citation. Board member Putnam seconded the motion. Board member Zane stated that the appellants were in the process to gain licensure by regulation and had a requirement to not do business as an entity or accept monies for services without having a license, he said there was no way around that. They were receiving a percentage of that income from that business so based upon the preponderance of evidence and the advertising that took place is why he made his motion. Motion carried. Board member Nadeau was opposed to the motion.

June's Legal Service, License #1068, Deborah Schuff appealed the Notice of Violation #08-1068-10 issued on September 1, 2010. Deputy Attorney General Towler presented the case to the Board. He called Investigator Gresnick-Smith as a witness. He asked Investigator Gresnick-Smith if she audited June's Legal Service records and what she discovered during the audit. She stated there were violations regarding employees who should have been terminated from the system and there were others where there were no records for employees. Deputy Attorney Towler asked if Ms. Schuff had questions. Ms. Schuff stated she wanted to provide evidence and truth. Everything had been supplied to the PILB quarterly. She also stated that she used a payroll company. Investigator Gresnick-Smith said that there was a person who worked for June's Legal Service with an expired card. At this point, Deputy Attorney General Towler asked Investigator Gresnick-Smith to go through each name on the list of employees. She did and stated dates of hire, termination dates and which employees were never registered with the Board. Ms. Schuff wanted to know where the information came from. She asked to go through the list as the investigator did. Ms. Schuff had documentation on every employee and their dates of hire or termination. Deputy Attorney General Towler asked why that was never provided to the Investigator. Ms. Schuff stated she was never asked to provide it. Chairman Spencer asked if she wanted a continuance. Ms. Schuff stated she would provide all paperwork tomorrow. Chairman Spencer stated she could come back at the next meeting. Ms. Schuff asked if that was in 3 months. Chairman Spencer replied that was correct. Board Member Nadeau motioned to continue to the next regularly scheduled meeting. All Board Members were in agreement.

Tatone Investigation LLC applied for a corporate Private Patrolman License. Donald Tatone requested qualifying agent status and if approved asked to have his individual Private Patrolman license placed into abeyance. Member to be approved was Donald Tatone. Mr. Tatone told the Board that he began working as a security officer in 1988. He said he worked unarmed and then took a position as an armed security officer for another company. Mr. Tatone told the Board that he worked security for a night club and worked in the casino industry doing surveillance. Board member Nadeau asked Investigator Dupuis about only being able to verify 7,888 hours of private patrolman experience. Investigator Dupuis said that was correct. He said that he did receive some additional information the day before but it did not appear that the duties qualified as patrolman experience. Mr. Tatone told the Board that he attempted to make contact with other companies that he worked security for but they were not cooperative. Mr. Tatone provided the Board with some examples and a breakdown of hours for the Board to consider. He asked the Board if they would consider using 25% of the hours that were afforded him towards his Private Investigator license be put toward the hours for the Private Patrolman license. There were no further questions from the Board. Board member Zane moved to deny the corporate Private Patrolman license for Tatone Investigation LLC, subject to all statutory and regulatory requirements. Board member Nadeau seconded the motion which passed.

Towers Security Service LLC applied for a corporate private Patrolman license. Victor Torres requested qualifying agent status and if approved asked that his individual Private Patrolman license be placed into abeyance. Members to be approved were Victor Torres, Ramon Torres and Lorena Torres. Mr. Torres told the Board he was employed by Towers Security since May of 2007 and that prior to that he was employed by Paragon Systems and its affiliates since 1997. He explained that they were a contractor with the Department of Homeland Security and provided security officers for federal buildings in southern California. Board member Nadeau moved to approve a corporate Private Patrolman license for Towers Security Service LLC, qualifying agent status for Victor Torres, an individual Private Patrolman license to be placed into abeyance and member approval for Victor Torres, Ramon Torres and Lorena Torres, subject to all statutory and regulatory requirements.

Advantage Guard Services, Inc., applied for a corporate Private Patrolman license. Farid Jalala requested corporate officer status and if approved asked that his individual Private Patrolman license be placed into abeyance. Corporate officer to be approved was Farid Jalala. Mr. Jalala told the Board that he had over 15 years of experience in all areas of security. He worked for All Action Security which was licensed in California, DC and Virginia. Board member Nadeau moved to approve a corporate Private Patrolman license for Advantage Guard Services, Inc., an individual Private Patrolman license to be placed into abeyance, qualifying agent and corporate officer status Farid Jalala, subject to all statutory and regulatory requirements. Board member Putnam seconded the motion which passed.

Total Security Solutions, Inc., dba Total Security Solutions applied for a corporate Private Patrolman license. A.C. Gribble requested qualifying agent status and if approved asked that his individual Private Patrolman license be placed into abeyance. Corporate officers to be approved were A. C. Gribble and James Boone. Mr. Gribble told the Board he was a deputy Sheriff for six years, worked in Alaska in the airline industry and moved to Las Vegas as the western regional manager for Western Airlines. He was the qualifying agent for Worldwide Security and opened several airports across the US. He left Worldwide Security and started his own company. He retired a couple of years ago and activated his license a couple of years ago to work with Mr. Boone. Mr. Boone provided the Board with his experience and told them he was licensed in California and that he had 18 years of prior law enforcement experience. Board member Putnam moved to approve the corporate application for Total Security Solutions, Inc., dba Total Security Solutions, qualifying agent status for Mr. Gribble and corporate officer status for Mr. Gribble and Mr. Boone, subject to all statutory and regulatory requirements. Board member Uithoven seconded the motion. Board member Zane was opposed, the motion passed.

Eastern Private Detectives, Inc., applied for a corporate Private Investigator and Private Patrolman license. Scott Churchill requested qualifying agent status and if approved asked that his individual Private Investigator and Private Patrolman license be placed into abeyance. Corporate officer to be approved was Scott Churchill. Mr. Churchill told the Board he was a licensed Private Investigator in New York, New Jersey, Vermont and Pennsylvania. He also made reference to having a licensed armed guard company. Board member Putnam asked Mr. Churchill about the firearm permit issues pending in Court and if Mr. Churchill was able to purchase or possess firearms and the reasons for the denial of the permit. Mr. Churchill thought that he was denied because he used someone else's residence address. Board member Putnam read the Judges decision into the record. The Board asked Investigator Dupuis about the appeals. Investigator Dupuis used Mr. Churchill's language that they were appealed and set for a hearing for court. The New York case, the information Mr. Putnam read was that he did not have proper character and provided inaccurate information in his application. The New York appeal upheld and Mr. Churchill chose not to appeal that further due to financial reasons. He said the New Jersey case was pending on appeal, but in their initial ruling on the case, New Jersey applied the same sense of reasoning; lack of character and forth rightness. He thought the language that they used was disingenuous. The information that was provided recently was the current information from 2010 and he was unsure as to how it related to the 2005 issue. Investigator Dupuis said that he thought the only other issue was that Mr. Churchill did not provide this information at the time of his application. He was concerned that the two most relevant cases related to his application were not disclosed. Mr. Churchill asked to provide some details to the New Jersey situation because he wanted to vet his character because of what came up. He told the Board he had a carry permit in New Jersey since 1993 that was renewed every two years since then. He said that when he reapplied in 2008 with the Jersey State police they reviewed his permit and thought that Mr. Churchill had falsified his application by answering no to question 19. Question 19 asked if he had a firearm id card, a firearm purchase permit, or handgun permit denied. He said he answered no which he said he based on information from an incident that occurred in 2005 when he reported an incident to the internal affairs division, when the individual was removed from his position. Mr. Churchill read some testimony from the hearings and comments from his character witnesses into the record. Mr. Churchill concluded by telling the Board that he had provided them the facts and that he asked that they consider all the information when making their decision. Board member Uithoven made the motion to grant a corporate Private Investigator and Private Patrolman license for Eastern Private Detectives, Inc., an individual Private Investigator and Private Patrolman license to be placed into abeyance for Mr. Churchill, qualifying agent and corporate officer status for Scott Churchill, subject to all statutory and regulatory requirements. There was no second, the motion died. Board member Nadeau moved to deny the application. Board member Putnam seconded the motion. There was Board discussion. Board member Nadeau stated

the reason for the motion was NRS 648.110, license qualifications were not met and there was pending litigation and other matters. He said those matters could change but his decision was based on the information they had before them. Board member Putnam said he thought the courts and the people involved in this matter spent a great deal of time looking into this matter and for the courts to reach the decisions that they had, then he felt the Board would be remiss granting a license at this time. Mr. Churchill asked if the application could be held until the pending litigation matter was resolved. Board member Uithoven was opposed, the motion passed.

Sin City Recovery & Towing LLC requested a corporate Repossessor license with Roger Barnes as the qualifying agent. Mr. Barnes told the Board that he was trying to obtain his reposessor license. He worked in the State of Arizona. He explained that there had been some issues in verifying his experience. Chairman Spencer asked what he had done to show his experience. He said he was able to obtain some documentation that would verify his hours from the on-line data base. He was provided some advice and he took that advice in order to obtain these documents. Chairman Spencer asked him how many hours he had now. Mr. Barnes said he was hoping that the Board would accept the documentation as proof of the required hours. Mr. Barnes said that the document that he had were from September of 2005 to March of 2010. He said that the documents were provided to Investigator Dupuis. Investigator Dupuis explained to the Board what the documents received contained and how he was able to break down the information relative to the hours of repossession for Mr. Barnes. Investigator Dupuis told the Board that even with the information provided Mr. Barnes was still shy of the statutory requirements and that staff still did not have employment data such as W2's, salary figures, 1099's etc., that would correspond with tax returns. Investigator Dupuis also suggested to Mr. Barnes obtain a report from the Social Security Administration that might shed light on the questions still pending. Investigator Dupuis told the Board that he thought Mr. Barnes had 55 months of experience and after his examination of the records it was a full time position and he thought that was a fair assessment. Mr. Barnes told the Board that he felt he had the time and it was not uncommon to work 12 hour days. Chairman Spencer asked Board member Zane what he thought on the hours. Board member Zane's biggest concern was the content of the application with regard to his residency. He was also concerned that if Mr. Barnes was also working full time as a real estate agent and doing full time repossession work in Arizona that would be difficult to segregate hours. He did say that the burden of proof falls on the applicant and felt that the Board has been generous in trying to assist in verifying these hours. There was a brief exchange between Mr. Barnes and Board member Zane as to the equivalent of hours working out to 2,000 per year. Mr. Barnes explained to the Board that reposseors don't work a typical 8 hour day. Chairman Spencer asked Mr. Barnes how long he thought it would take him to acquire the hours he was short. Mr. Barnes said it wouldn't take him long. Board member Putnam moved to deny the corporate reposessor license for Sin City Recovery & Towing LLC, qualifying agent and corporate

officer status for Roger Barnes and corporate officer status for Jennifer Barnes, subject to all statutory and regulatory requirements. Board member Zane seconded the motion. The motion passed. They thanked him for his persistence and told him not to give up.

Administrative Business:

John Theel of SOA Nevada Inc., License #525 requested an exemption as outlined in NAC 648.338. Mr. Theel explained to the Board that he is requesting to bring six out-of-state law enforcement officers to supplement his pool of 500 guards assigned to the CES Show from January 6, 2011 through January 11, 2011. Peter Maheu commented that the association was opposed to the exemption and that local folks should be hired and out-of-state law enforcement officers should not be allowed to bring out-of-state folks. Board member Putnam moved to approve Mr. Theel's request subject to all statutory and regulatory requirements. Board member Uithoven seconded the motion and it carried unanimously.

Michael Singh of Malca-Amit Security Services, Inc., License #1414 requested an exemption as outlined in NAC 648.338. Vince Capanelli explained to the Board that he was requesting to bring 30 unarmed out-of-state law enforcement officers. He told the Board they hired 30 unarmed and 34 armed local individuals to assist with the JCK show this year. He said it was necessary to request the 30 out of state, unarmed law enforcement officers because they are trained with the show and know the procedures of the show. Board member Nadeau moved to approve Mr. Singh's request to bring 30 unarmed out-of-state law enforcement officers for the JCK show beginning May 25, 2011 through June 10, 2011, subject to all statutory and regulatory requirements. Board member Putnam seconded the motion which passed.

Richard Ellington of Ferrari Express, Inc., License #1432 requested an exemption as outlined in NAC 648.338. Richard Ellington explained to the Board that he was requesting to bring fifteen out-of-state law enforcement officers. He said it was necessary to request the fifteen out-of-state, unarmed law enforcement officers because they are trained with the show and know the procedures of the show. Board member Uithoven moved to approve Mr. Ellington's request to bring fifteen out-of-state law enforcement officers for the JCK show beginning May 30, 2011 through June 9, 2011, subject to all statutory and regulatory requirements. Board member Nadeau seconded the motion which passed.

Discussion regarding November 22, 2010 workshop and possible action/direction to amend NAC 648. Director Ray told the Board that this item was discussed at the June meeting and staff did not have enough time to put a work shop together between the June and September meeting. She said that the work shop occurred on November 22, 2010 and although the original request from the Nevada Society of Investigators was specific only to Private investigators she broadened the topics for discussion to

include all licensees. She told the Board that they had a lot of letters from licensees who were concerned about this issue. Board counsel Thoran Towler and Kimberly Okezie explained to the Board that there was quite a bit of constitutional history regarding whether or not you can require someone to be a resident of a state that they are working in. She told the Board that in 1967, NRS 648 had a residency requirement and that in 1985 it was removed. She cited case law, specifically from Rhode Island, US Supreme Court v. Piper, Case No. 83-1466; and explained that there is a test to determine whether or not it is constitutional to require residency. She felt the Board would have a difficult time overcoming the test to require residency. Peter Maheu felt that the research and points raised were not on point. He said what they are requesting is that a licensed investigator that has employees in the State of Nevada be required to have a resident qualifying agent. He thought that the key word was employees. Board Counsel Towler said that he disagreed that the key word was not employee, but rather residency. He said he thought that was probably why LCB removed the residency requirement in 1985 from Chapter 648 of the NRS. Peter Maheu asked then why does the Nevada Secretary of State require a resident agent. Board Counsel Towler explained that there is a legal requirement for a corporation to have someone available to serve process too. He said the resident agent requirement is for serving the entity. Mike Kirkman asked Board Counsel Towler if he would agree that the resident agent of a corporation would be required to be a resident. Board Counsel Towler was not going to analyze the resident agent requirement. He felt that was a good requirement but it was different than what they were proposing. Mr. Kirkman also raised the issue with regard to a real estate broker who can't leave the state for more than thirty days if they wish to maintain their license. Board counsel Okezie explained that even though the case law cited was specific to lawyers it has been viewed in other instances with regard to Doctors, etc. and that the idea is a professional pursuit, a right to make a living. Mr. Maheu and Mr. Kirkman argued that they were not saying that they could not obtain a license, but that if a corporation was seeking licensure in Nevada who had employees then the qualifying agent should be a resident so that the employees would be properly supervised. Board member Uithoven asked if the Board had an appetite for considering this change. Chairman Spencer felt the same way and thought the records should be maintained here and the qualifying agent should be a resident. Board member Uithoven asked the question as to records being stored on a server in West Virginia. Board counsel Towler said that due to technology, that would be another reason why this law may not change. There was some Board comment. Board Counsel Towler said it is an interesting case and that if anyone wanted a copy of it Board Counsel Okezie would be able to provide the information. Peter Maheu made some closing comments addressing his concerns. Board Counsel Towler explained that the Board can take the advice of counsel or not. If the Board chooses to act on the advice of Counsel then they are acting in their best interest and are protected. Director Ray discussed the possibility of having the branch manager be the resident manager but as the discussion continued the same residency issues would have to be addressed. Board member Uithoven asked the

Board if they were then going to be in the business of determining who would be a good supervisor and who would not. He went on to say that there is a system in place to discipline those who aren't doing what they are required to do with regard to their licenses and their employees. Board Counsel Okezie said the reasons that Board member Uithoven just put on the record is the reason residency requirement test would not be met. She said the court would look at the test; is it a substantial reason, does it discriminate against non resident; does it bear a substantial relationship; she again referred to under inclusive and over inclusive. They will see there is already a process to handle those matters and therefore may not support such a change. Angela Bosworth from Openonline put her concerns on the record. She wanted the Board to know that her company is a web based company and they do not have employees in the state of Nevada and however if the issue of maintaining records in Nevada would be a concern. Board member Nadeau asked for clarification that if a corporation was licensed by the Board they would be required to have a resident agent with the Nevada Secretary of State; what about an individual who is licensed who does not have the protection or under the umbrella of a corporation. Board Counsel Okezie said that she had reviewed Chapter 628 of the NRS, the Board of Accountancy who had language that read is a resident of this state or if not a resident of this state has designated to the Board an agent who is a resident for notification for service of process. Board member Nadeau asked if it was possible that we could implement similar language. She said that she had not found anything that contradicted that provision. Michael Yepko commented that the attorneys for the Board assumed that the information for resident agents were accurate. It had been his experience that he often runs into this information that is false, or they have moved or only provided a P O Box so it is very difficult to find these people to hold them accountable. He felt that it was very important that the records be maintained in one location.

Dragon Master Security LLC dba Integrity Global Security applied for a corporate Private Patrolman license. Kyle Hardy requested an individual Private Patrolman license to be placed into abeyance so that he could be the qualifying agent for Dragon Master Security LLC, dba Integrity Global Security. Corporate officer to be approved was Kyle Hardy. Mr. Hardy requested a closed hearing.....The meeting was returned to open session.

Chairman Spencer asked if any of the Board members wanted to make a motion. Board member Zane moved to approve the corporate Private Patrolman application for Dragon Master Security LLC, dba Integrity Global Security, an individual Private Patrolman license for Kyle Hardy to be placed into abeyance, qualifying agent and corporate officer approval for Mr. Hardy subject to all statutory and regulatory requirements. Board member Nadeau seconded the motion. There was discussion on the motion. Board member Putnam commented that the information from pre-polygraph interview from Metro was only one of several factors that were considered in denying his application. He said that this may have addressed one of the issues but it did not address the other issues in his mind. There was

more discussion from the members that said the results of the polygraph examination addressed the concerns they had from the previous meetings. Board members Zane and Nadeau, Chairman Spencer were in favor of the motion. Board members Putnam and Uithoven were opposed. The motion passed 3-2.

Items not heard were continued to the next day, December 9, 2010.

The meeting adjourned.

** There are portions of this day's minutes that were not recorded due to tape recording problems.