

# THE KENTUCKY BOARD OF LICENSURE FOR PRIVATE INVESTIGATORS

July 6, 2006

A regular Board Meeting of the Kentucky Board of Licensure for Private Investigators was held at the Board offices, Division of Occupations and Professions, 911 Leawood Drive, Frankfort, KY on Thursday July 6, 2006.

## **MEMBERS PRESENT**

Neil J. Alioto, Chair  
Norman Williams  
Jim Ringo  
Almeta Ann Hardwick  
Roger McDonald  
Rick Hessig  
Rodney Coffey

## **OCCUPATIONS & PROFESSIONS STAFF**

Adriana Lang, Board Administrator  
Claude Wagner, Executive Director

## **OTHERS PRESENT**

Diane Fleming, Attorney  
Rodney Brock  
Michael May  
Bill Lilly  
John Logdon

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## **CALL TO ORDER**

Mr. Neil Alioto called the meeting to order at 1:00 p.m.

## **APPROVAL OF MINUTES**

The minutes of the June 1, 2006 meeting were called to the attention of the members. A motion was made by Mr. Jim Ringo to approve the minutes as amended, motion seconded by Mr. Rodney Coffey, carried.

## **FINANCIAL STATEMENT**

The board reviewed the financial statement indicating a balance of 43,132.40 from July 1, 2005 to May 31, 2006. A motion was made by Mr. Roger McDonald to accept the financial statement. Motion, seconded by Mr. Rodney Coffey, carried.

Mr. Neil Alioto advised the board that his board member term will expire on August 2006 and he would like to make sure that the board requests are accomplished before his expiration. Mr. Alioto asked staff members for an update on the research of the financial statement audit request. Mr. Claude Wagner informed the board that he is communicating with the administrative office to have the board's request accomplished. The board objected to have an audited within the Finance and Administration Cabinet and requested to have a private auditor. Mr. Wagner stated that he would check into to that matter and bring a report back to the board.

## **LICENSURE STATUS**

The Board reviewed the licensure report of July 6, 2006.

## **PROOF OF INSURANCE**

The board reviewed a list of names of individuals that have an insurance policy with an expiration dates of March, April and May of 2006. Ms. Lang explained to the board that the proof of insurance list is done monthly and letters requesting to provide a new certificate of insurance are sent to the licensees.

## **ATTORNEY REPORT- LEGAL MATTERS**

Ms. Diane Fleming provided the board an update on the Mr. James Bartlett case. The board agreed to schedule a hearing for Mr. Bartlett on September 7, 2006 at 10:30 a.m.

Ms. Diane Fleming informed the board that on the phone conference with Ms. Theresa Bradford, Ms. Bradford proposed a settlement agreement to the board in which the board grants her a Private Investigator license and placed her license on one year probation. The board denied Ms. Bradford's proposed settlement. The board agreed on scheduling a hearing for Ms. Bradford on September 7, 2006 at 11:00 a.m. Ms. Fleming informed the board that the hearing officer have offered to provide a tape recorder to record the hearings in order to cut some of the board's expenditures. The board accepted the hearing officer's offer.

Ms. Diane Fleming provided the board an update on the Mr. Richard May case. The board requested that Ms. Fleming draft correspondence to Mr. May requesting him to provide certified background court documents.

Ms. Diane Fleming informed that board that she will file injunctions against Mr. William P. Casada, Brian Finney and Whitehall Bureau, Inc. in Franklin County.

Ms. Diane Fleming provided the board an update on the Mr. Rob Dixon inquiry regarding 1099, employees from other states in excess of the 240 hours exemption.

Ms. Diane Fleming provided the board an update on her ongoing communication with the LRC regarding the Meeting of the Administrative Regulation Review Subcommittee for July 11, 2006. Ms. Fleming suggested that she would draft correspondence as clarification of the proposed fees in response to the LRC requesting to change the date of the review of the relations due to the fact that the board again review and possibly amend the proposed regulations. The board accepted Ms. Fleming's suggestion.

### **OLD BUSINESS**

The board reviewed correspondence received from EFI Global, Inc. regarding company license name change requested by error from the company Engineering and Fire Investigations, Inc. previously approved by the board. The board agreed to change the company name back from EFI Global, Inc. to Engineering and Fire Investigations, Inc., approve their license renewal under the current name and requested that EFI Global, Inc. apply for a separate company license. The board requested Ms. Diane Fleming to draft correspondence to the company to notify the board's decision. Ms. Fleming stated that she will draft correspondence and forward it to Ms. Lang to be enclosed with the company's renewed license. The board reviewed and deferred for further legal review the company application for EFI Global, Inc.

The board reviewed licensure requirements for Arbogast and Associates. LLC. Mr. Neil Alioto informed the board that he was informed that Mr. John Arbogast has retired and moved to another state.

The board reviewed license fee due for West-Tek International and David Keith West. The board deferred the review until their licenses renewal.

The board reviewed insurance requirement for Larry K. Kruse.

The board reviewed licensure requirements and type of licenses. The board agreed that there are three types of license as follows:

- 1) Individual License- Fee \$400.00- \$100.00 pay with the application and \$300.00 after pass exam (if applicable).
- 2) Sole Proprietor Company License (one man company) - \$100.00 in addition to individual fee.
- 3) Company License (more than one man) - \$500.00.

The board reviewed correspondence regarding the International Association of Security and Investigative Regulators regarding the 2006 IASIR Conference in Nova Scotia, Halifax from November 6-9, 2006. A motion was made by Mr. Rick Hessig to send Mr. Claude Wagner, if he is available, to attend the conference. The motion, seconded by Mr. Rodney Coffey, carried.

### **NEW BUSINESS**

The board was informed that starting July 1, 2006 the reimbursement for mileage will be .43 cents.

The board reviewed correspondence received from International Association of Security and Investigative Regulators (IASIR) as notification of the board's full membership.

The board reviewed correspondence received from Mr. Brandon Hall regarding Mr. Billy Roland. The board requested staff members to draft correspondence to Mr. Hall advising him that Mr. Billy Hall is not licensed with the board.

The board reviewed a list of renewal from licenses that have provided proof of insurance using a company name. The board requested staff members to approve the license renewal and send correspondence to each licensee notifying them that if they hold themselves out as a company they are required to apply for a Company Sole Proprietor or a Company license in addition to their individual licenses.

Mr. John Logdon asked the board about the regulations for an apprentice license. The board informed Mr. Logdon that the regulations amended is in processing.

Mr. John Logdon asked the board clarification why he is required to hold a full company license as well as his individual. The board explained to Mr. Logdon that the reason why he is required to hold a full company license is due to the fact that his company has more than one licensee.

Mr. John Logdon discussed with the board the license requirements for out of state fire investigators.

Mr. Rodney Brock asked the board the status of the board's reciprocal agreement with other states. The board informed Mr. Brock that the research of reciprocity agreement with others states is ongoing.

Mr. Rodney Coffey informed the board that his board member term will expire on August of 2006. He stated that he was pleased to work with the board and that he has notified the Cabinet that he would not be available for a re-appointed. The board stated that they were pleased to have Mr. Coffey as a member and thanked him for his services.

#### **APPLICATION REVIEW COMMITTEE**

Mr. Neil Alioto gave the following report from the Application Review Committee. The board accepted Mr. Alioto's report as follows:

INDIVIDUAL APPLICATION SEEKING RECIPROCITY: *Michael Rambo.*

INDIVIDUAL APPLICATIONS DENIED: *Katina Acuff.*

COMPANY APPROVED SEEKING RECIPROCITY: *Southern Fire Analysis, Inc.*

COMPANY SOLE PROPRIETOR APPROVED: *Sabol and Associates, LLC.*

COMPANY APPROVED WITH PROVISIONS: *ADP Screening and Selection Services.*

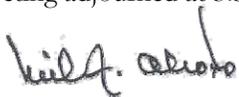
COMPANY DEFERRED: *EFI Global, Inc.*

#### **TRAVEL AND PER DIEM**

A motion was made by Mr. Jim Ringo to approve payment of travel expenses and per diem compensation for eligible members in attendance at today's meeting. Motion, seconded by Ms. Almeta Hardwick carried.

#### **ADJOURNMENT**

Mr. Alioto informed the Board that the next meeting is scheduled for Thursday, August 3, 2006, with the Application Committee meeting at 11:00 a.m. and the Regular Board Meeting at 1:00 p.m. Having no further business to be brought before the Board, a motion was made by Mr. Jim Ringo to adjourn. Motion Seconded by Mr. Almeta Hardwick, carried. The meeting adjourned at 3:35 pm.



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**APPROVED**