

MINUTES
December 16, 2016
11:00 a.m.
Board Meeting-Bismarck Airport
Bismarck, ND

1. Chairman, John Shorey, called the meeting to order at 11:05 a.m. Board members present: Mike Stensrud, Rick Schuh, Nancy Miller, Ernie Thurman, and Randy Ziegler. Board member absent, Mike Wetsch. Others present: Executive Director, Francine Johnson, Office Assistant, Cheryl Kruger, Legal Counsel, Monte Rogneby, Scott Williams and Keith Rowan representing Pro Dog Security, Rory Schuh representing Securitas Security, Bill Gordon representing Advance Security.
2. New board member, Ernie Thurman, was introduced and welcomed to the Board.
3. The minutes were reviewed from the previous meeting. Mike Stensrud made the motion to accept the minutes and Rick Schuh seconded. M/S/C.
4. Officer elections from the previous meeting were revisited as suggested by Monte Rogneby. Motion was made by Rick Schuh to maintain the current officers, John Shorey, Chairman, Mike Stensrud, Vice-Chairman, and Nancy Miller, Treasurer. Ernie Thurman seconded. M/S/C
5. Francine Johnson reported that the FBI audit was completed. The auditor instructed the Board office to change the current denial letter sent to applicants. He reiterated that the denial letter cannot state the specific reason for the denial. He felt the current letter disclosed there was a criminal record and that none of the reasons should be circled or noted to the security agency. Previous protocol was that the agency was notified that it was either a disclosure issue, a deniable offense, or insufficient information was not provided. The auditor indicated the reasons could still be listed on the denial letter but we could not circle which reason specifically because that would be a violation of disclosure issue in his view. The Board determined that the letters would still be sent to the agencies, but the specific reason would only be sent to the applicant when he requested his record.
6. Cheryl Kruger informed the Board that the minutes will not be posted on the website until they are approved by the Board at the next regularly scheduled Board meeting.
7. Cheryl Kruger informed the board that the BCI fees have been reduced by \$2.00. Nancy Miller made the motion to reduce the registration fees by \$2.00, which equates to a \$65.00 fee rather than the \$67.00 fee charged currently. This new fee would go into effect January 1, 2017. Randy Ziegler seconded. M/S/C. A letter to all license holders will be sent to inform them of the new change in fees.
8. Mike Stensrud reported there was no new information relating to BCI fingerprint processing delays.
9. Francine Johnson reported on the unlicensed/unregistered activity of Day & Associates of Montana. The office received a complaint from the Golden Valley County Sheriff's Office in North Dakota that this company and employee performed investigative services in North Dakota. Subsequent information and a letter from Day & Associates confirmed that they in fact conducted investigative activities within North Dakota. Nancy Miller made the motion to send a letter along with the pertinent information to the Golden Valley States Attorney requesting they prosecute this matter. Rick Schuh seconded it. M/S/C.
10. Cheryl Kruger provided the board with information on the complaint regarding FBS Consulting Services conducting security work without being properly licensed. A letter was sent

to the company advising them of the violation. The work was being conducted on the Fort Berthold Indian Reservation. Trevor Leach, of FBS Consulting, responded and indicated they would stop the security work until they were properly licensed. There was some discussion by the Board as to jurisdiction on reservation property. Mike Stensrud made the motion to send a follow-up letter to FBS inquiring if they intend to become licensed and whether they are still providing security services. Seconded by Rick Schuh. M/S/C.

11. Francine Johnson informed the board that the deadline for the Legislative pre-filing had past. Chairman, John Shorey, advised members to let the office know if there are any legislative issues pertaining to the Board in the upcoming session. Bill Gordon of Advance Security indicated he is working on legislation to allow security officers in airports arrest powers on warrants. He requested the Board compose this legislation. He was advised that the Board does not author/draft legislation and that he needed to contact the legislative council as well as gaining a legislator to sponsor his legislative proposal. Once he has the verbiage on the issue, the Board would review that proposed legislation before any endorsement of it. Bill Gordon is pursuing a change in arrest authority at the airports within the state. There was considerable discussion on this matter and it was determined that Bill Gordon would need to make the necessary contacts with regard to law enforcement, TSA, and legislative council and sponsorship in order to move forward on this matter. No further action was taken by the Board.

12. Randy Zeigler left the meeting at noon due to other commitments.

13. Francine Johnson provided a summary regarding Advance Security's unregistered security officers: Steve Haggerty, Larry Olson, Wendell Rose, David Dalton, and James Lehse. These individuals were not properly registered or renewed and were still placed on a security post. Bill Gordon, license holder for Advance Security stated he was aware that the renewals were late, but he made a business decision continue to have these individuals work for the company and remain in violation. He stated he had sent a personal check to the Board because he didn't have access or availability to a company check. He stated this delayed the process as well, even though the renewals were already late and beyond the timeline. He was informed that the board policy is that of not accepting personal checks due to problems with NSF checks. Rick Schuh made the motion to fine Advance Security \$1,000.00 and place them on 2 years' probation for the violations of the five employees. Ernie Thurman seconded. M/S/C.

14. Francine Johnson provided a summary for a second violation for Bill Gordon with Advance Security. There were two additional unregistered employees: Logan Johnson and Muse Diriye. Both worked security in North Dakota without being properly registered. Rick Schuh made a motion to impose an additional \$1,000.00 fine. Ernie Thurman seconded. M/S/C. If there is another violation the Board will revisit the issue.

15. Cheryl Kruger provided an update on the Pro Dog Security's violation of unregistered employees: Scott Volker and Alex Fisher. Keith Rowan indicated that he had health issues at that time and was unaware of the problem. He stated that Brett Anderson, former manager for the company, was in charge of the registration. Because of legal issues with Brett Anderson, Rowan inquired if Anderson's registration card could be suspended. Rowan shared that Anderson had embezzled from his company but he had chosen not to pursue action against him. There were several integrity/ethics issues relating to Anderson. Keith Rowan indicated he will send Brett Anderson's card to the Board and he will advise Brett Anderson that his registration has been suspended. The office will send a letter to Brett Anderson informing him of the suspension after receipt of the letter from Keith Rowan. On the issue of Scott Volker and Alex Fisher, the NDPIBS office received confirmation from Keith Rowan that both employees were

removed from post. Rick Schuh made a motion to impose a \$1,000.00 fine, monthly compliance checks to be submitted to the Board office by Pro Dog by the 1st of each month, the ability for random compliance checks, and probation until December 16, 2018. Seconded by Nancy Miller. M/S/C. Monte Rogneby, legal counsel for the Board, will compose the stipulation agreement.

16. Cheryl Kruger provided a summary regarding GSSC's violation of unregistered employees: Duane Duppong, Jamie Castner, Kris Bauer, Alan Wilson, Shawn Iverson, Alicia Haats, Shari Selzer, and Steve Wiedman. Bill Leoni, license holder for GSSC, provided a written response indicating the Fargo office was in charge of the renewals. He stated that their renewal procedures were not correctly followed and they are addressing the issue internally. The letter indicated these employees were removed from post until they received their renewed cards. Rick Schuh made the motion to impose a \$1,000.00 fine and 2 years probation. Seconded by Ernie Thurman. M/S/C. Monte Rogneby, legal counsel for the Board, will compose the stipulation agreement.

17. Cheryl Kruger provided a summary for the G4S violation of unregistered security officers: Erica McCaghren and Robert Rigby. Erica McCaghren was inactivated in the files per confirmation from G4S. A renewal was received for Erica McCaghren. Erica McCaghren indicated that she had been working for G4S for the past 13 months. G4S indicated that it was an accidental oversight and Erica McCaghren will be removed from post until properly registered. Robert Rigby was inactivated by G4S, but they did not return the pocket card to the office. A renewal form was submitted by G4S for Robert Rigby. Robert Rigby stated he has been working since March of 2016. G4S responded stating they failed to reactivate Robert Rigby's card and he was working with his old card. They removed him from post and have not renewed his application. Rick Schuh made the motion to impose a \$1,000.00 fine and 2 years probation. Seconded by Nancy Miller. M/S/C. Monte Rogneby, legal counsel for the Board, will compose the stipulation agreement.

18. Cheryl Kruger provided a summary on the Armored Knights violation for the unregistered security officers: Natalia Chouanard and James Fisher. A renewal was sent for both individuals, but was returned to the Armored Knights due to incorrect fees. The license holder, Trevor Millikan, stated that Natalia Chouanard did work on 10/1/16, but was taken off post when he became aware that she did not have her new card. He resubmitted her renewal and Natalia Chouanard's card was issued on 10/7/16. There was a motion by Mike Stensrud to place a letter of reprimand in their file for Armored Knights. Seconded by Nancy Miller. M/S/C.

19. The financial report was given by Nancy Miller. Total expenses for November were \$18,751.72. Total income was \$8,984 with a net loss of -\$9,767.72. Total assets are \$226,794.28. Mike Stensrud made the motion to approve the treasurer report. Seconded by Rick Schuh. M/S/C. Nancy Miller presented the new budget. She indicated that legal fees and salaries may need adjustment after reviews at this meeting. Rick Schuh made the motion to approve the budget with an amendment to legal fees and salary expense. Seconded by Ernie Thurman. M/S/C.

20. Employee salary reviews for Francine Johnson and Cheryl Kruger were discussed. Francine informed the Board that she will be retiring December 2017. Francine and Cheryl chose to leave the room while the Board discussed their wages. The Board gave Francine a 5% increase on her salary. Cheryl will remain on salary full time until the end of March, 2017. A committee, which will consist of all Board members present at this meeting, Mike Stensrud, Nancy Miller, John Shorey, and Ernie Thurman will set up a special meeting via teleconference to discuss the

succession plan for the Executive Director position as well as Cheryl Kruger's future wages and benefits.

21. The meeting schedule for 2017 is: February 21, May 16, August 15, and November 28.

22. A motion was made by Nancy Miller to close the meeting for Executive Session for attorney/client discussion concerning an investigation update on DAPL. Rick Schuh seconded the motion. A roll call vote was taken. All were in favor of the session. M/S/C. The public was asked to leave and the Executive Session began at 2:50 p.m.

23. The Executive Session was adjourned at 3:28 p.m. and the public was invited back for the open meeting.


24. The board was informed that a license application was received from Tiger Swan, one of the companies affiliated with the DAPL project. It was noted there may be some issues concerning the application. Monte Rogneby, counsel for the Board, indicated that if Tiger Swan wished to appeal the standard process utilized on denials, the board may choose to hold a special meeting to address any issues surrounding the application.

25. Additional housekeeping matters related to approval by Monte Rogneby with regard to discussions between the new Treasurer, Nancy Miller, and outgoing Treasurer, John Shorey, relating to financial questions. He indicated this would not be construed as an open meeting violation or concern. They could consult each other on the financial matters. The Board was also informed that the office was experiencing issues with some agencies requesting/demanding special treatment with regard to the turn-around time of registration cards. In an effort to be fair to all agencies, the office will institute the practice of mailing all registration cards so there is no appearance of favoritism or special treatment to any company. The agencies can provide an overnight label and envelope if they would like their cards sooner than what is delivered through the US Postal system. .

26. Rick Schuh made the motion to adjourn the meeting. Seconded by Ernie Thurman. M/S/C. The meeting adjourned at 3:40 p.m.


Chairman

3-8-17
Date


NDPISB Office Assistant

3/8/17
Date