

**MINUTES**  
**March 8, 2017**  
**11:00 a.m.**  
**Board Meeting-Bismarck Airport**  
**Bismarck, ND**

1. Chairman, John Shorey, called the meeting to order at 11:00 a.m. Board members present: Mike Stensrud, Rick Schuh, Ernie Thurman, Michael Wetsch, and Randy Ziegler. Board member absent, Nancy Miller. Others present: Executive Director, Francine Johnson, Office Assistant, Cheryl Kruger, Legal Counsel, Monte Rogneby, 10-Code, Robert Carvell, Linda Julson, Wesley Julson, Bismarck Police Department, Dave Johnson; Representing G4S Security, Brian Trondson, Anthony Martorano, Kevin Stewart, and Carl Page; Representing 10-Code, Paul Olson, Representing Fredrikson & Byron, Lawrence Bender and Tyler Gludt.
2. The minutes were reviewed from the previous meetings and teleconferences dated 12-16-16, 1-6-17, 1-31-17, and 2-10-17. Mike Stensrud made the motion to accept all the minutes and Ernie Thurman seconded. M/S/C.
3. Francine Johnson provided a summary regarding the issues surrounding Robert Carvell's volunteer investigation for the Bismarck Police Department and concerns of whether he had access to law enforcement records. Mr. Carvell, Detective Gaddis, and Detective Dave Johnson of the Bismarck Police Department indicated that he has no access to police records and his work being conducted is that of reopening and investigation of a cold case. After review of the information provided by the Police Department and Mr. Carvell, Randy Ziegler indicated he did not see any problem with him working as a volunteer and did not believe any rule or statute had been violated. Mike Stensrud made a motion stating that that no violation had occurred but added that should that status change, it would be revisited. Rick Schuh seconded the motion. M/S/C.
4. The financial report was given by Francine Johnson due to the fact treasurer, Nancy Miller was absent. As of January 31, 2017 the total income was \$12,140.00, total expenses were \$12,142.44 with a net income of -\$2.44. Total assets were \$223,664.50 and total liabilities and equity were \$223,664.50. Nancy Miller has not submitted the amendments to the budget yet, so there is nothing to report. Ernie Thurman made the motion to accept the financial report. Seconded by Mike Wetsch. M/S/C.
5. Francine Johnson informed the board that the required audit is due to be assigned. Overmoe and Nelson has been the firm utilized for this service and the rate is \$1500.00. She informed the board that the audit cannot move forward without the amended budget. Mike Stensrud made the motion to contract with Overmoe and Nelson to conduct the audit on the condition that the budget is completed prior to audit. Seconded by Rick Schuh. M/S/C.
6. Francine Johnson informed the board that the Golden Valley States Attorney is moving forward on prosecution of Peter Nolan which involves unlicensed activity. The hearing on the matter is set for March 23, 2017. Their office will keep the board's office apprised of the outcome. Montana regulatory officials were also interested in the final disposition as well.
7. Cheryl Kruger provided an update on FBS Consulting Service. FBS responded to the board's inquiry regarding unlicensed security activity. FBS indicated they were not providing security activities but should they do so in the future, they would apply for licensure. No further action was deemed necessary by the board.

8. Cheryl Kruger gave an update on the settlement agreements for Advance Security, Pro Dog, GSSC, and G4S Security. Advance Security, Pro Dog, and GSSC all signed the agreement and paid the fines. G4S Security submitted a stipulation with amendments made by their legal counsel. They also submitted the \$1,000.00 fine. A motion was made by Rick Schuh to close the meeting for an Executive Session for attorney/client discussion concerning the amendment to the stipulation that G4S Security provided. Seconded by Ernie Thurman. A roll call vote was taken and it was unanimous. The Executive Session began at 11:20 a.m. A motion was made by Ernie Thurman to adjourn the executive session. Seconded by Randy Ziegler. The Executive Session was adjourned at 11:30 a.m. and the general public was invited back for the open session of the meeting. Once the public returned, a motion was made by Mike Stensrud to accept amendment 2.3, which outlines implementation of written procedures and probation of 24 months, but rejected amendment 2.1, which outlined admission of the violations. Seconded by Rick Schuh. M/S/C. Carl Page stated that he will have his legal counsel draft a new stipulation and forward it to the NDPISB office for review. It should be noted that Chairman, John Shorey recused himself from discussion/voting on the G4S Security matter and the Vice-Chairman, Mike Stensrud, will sign the stipulation agreement once received.

9. Cheryl Kruger advised the board that a complaint received from Rory Schuh regarding the classroom training provided by G4S Security may have been non-compliant or insufficient. G4S Security provided a copy of their curriculum and training practices. After review by the office, it did/does meet the standards. There was no further action necessary by the Board. Chairman, John Shorey recused himself from this discussion/dialogue.

10. Cheryl Kruger summarized for the board the violation involving Union Colony's unregistered employees, Jeffery Huschka and Todd Williamson. Jeff Huschka was denied registration with their agency on August 30, 2016. No application was received from Union Colony for Todd Williamson, however, it was noted that he was denied registration with another agency on July 10, 2008. Ben Probst of Union Colony confirmed that Jeff Huschka was employed from July 11, 2016 to December 29, 2016 with their company. Todd Williamson was employed from July 18, 2016 to January 8, 2017. Mike Stensrud made the motion to place a letter of reprimand in their file and fine them \$50.00. Seconded by Randy Ziegler. M/S/C.

11. Cheryl Kruger summarized for the board 10 Code's unregistered employees Dwayne Garcia and Brian May. Brian May's application reflected that he was conducting security work prior to his receiving his card. Paul Olson, representing 10-Code, indicated that this was a clerical error on their part and May was not working security prior to receiving his registration card. Paul Olson indicated they would provide corrected documentation for the registration enabling the board office to proceed with the upgrade request. Mr. Olson was also informed that the request for clarification regarding the "firearms training" was also pending. The board determined that there was no action required with regard to the Brian May matter. With regard to Dwayne Garcia, this employee was registered with another agency and had not been registered with 10-Code even though he was working for them. Mr. Olson indicated that this was an error on their part and they had failed to register/transfer him to their company. Randy Ziegler made the motion to place a letter of reprimand in 10-Code's file. Seconded by Ernie Thurman. M/S/C.

12. Cheryl Kruger informed the board of an additional unregistered employee, Gayle Wieland of GSSC. It was learned that this unregistered employee was also connected with the previous GSSC violation and was considered part of that violation. The board determined that no further action was necessary and considered it to be part of the previous stipulation/settlement agreement.

13. Francine Johnson informed the board of another violation involving unregistered employees of G4S Security. The unregistered employees were Christopher Garver, Nancy Cerkoney, Anthony Moore, and Brian Hurt. The Board was satisfied with Carl Page's explanation of Christopher Garver and Anthony Moore, as they were properly registered. However, Brian Hurt and Nancy Cerkoney were in violation. Monte Rogneby suggested adding this violation to the stipulation since it has not been settled yet. There was a motion by Rick Schuh to add this violation to the previous stipulation and change the fine to \$1500.00, rather than \$1000.00. Seconded by Mike Stensrud. M/S/C. Brian Trondson verified that these unregistered employees were not armed. Carl Page confirmed that his legal counsel will provide the additional inclusion of the unregistered employees and provide the final version of the stipulation to the Board. Chairman, John Shorey recused himself from this issue/discussion.
14. The SB2329 was discussed. Monte Rogneby stated that the bill as currently written and passed through the Senate will have unintended consequences. It also presents concerns of creating an automatic equivalency to be an armed security officer. Paul Olson of 10 Code stated their intent was to use basic training within the military as equivalency for training and classroom instruction for the security officer level only. Discussion of proposed language to eliminate "armed" and addressing honorable and dishonorable discharges from the military in the current bill was conducted. Paul Olson was receptive to these changes and indicated he, along with their lobbyist and Monte Rogneby will meet to incorporate these changes. Monte Rogneby suggested that the Board send out letters in support of the amended bill to various legislators. The office will provide board members with a sample draft letter for this purpose.
15. Paul Olson addressed the board and indicated that he has video and photos of all the security personnel working on the DAPL project. He indicated that Leighton, Michaels & Precision, Silverton and several law enforcement personnel were/are working security unlicensed/unregistered. He stated he is willing to work with the Board with his information. He also shared he had no connection to Richard Anderson.
16. Francine Johnson summarized issues relating to Jeremie Meisel of EH Investigations, registering Dakota Zoo security personnel under his agency. The board reviewed Mr. Meisel's response to the previous board inquiry on the relationship and supervisory duties he would have with the zoo personnel. The Board determined that they require further clarification and information on this matter. Francine Johnson and Monte Rogneby will compile a letter requesting this information from Mr. Merisel. No further action will be taken on this matter until clarification is received from Jeremie Meisel relating to the board's concerns.
17. Francine Johnson suggested to the board that there is a need for some administrative rule clean-up, particularly if there will be updates as a result of the new proposed legislation. Other areas to be addressed are the clarification on internal policies as it relates to reinstatement of licensure once a license expires. The current practice, as outlined in minutes from 1999, is that there is a one year grace period after expiration of the license, provided that all fees are paid. This grace period grants that retaking the exam is not required. The board will keep this in mind when/if administrative rule changes will be undertaken.
18. Mike Stensrud made the motion to close the meeting for an Executive Session for attorney/client discussion concerning the EH Investigation/violation. Seconded by Ernie Thurman. A roll call vote was taken. The vote was unanimous. M/S/C. The Executive Session began at 1:54 p.m. The Executive Session was adjourned at 1:59 p.m. and the public was invited back for the open session of the meeting.

19. Francine Johnson provided an update on Rochester Armored Car unregistered employees, Dan Berg, and Jordan Caspers. Both employees were not properly registered which was also confirmed by license holder, Paul Herek. Mike Stensrud recused himself from this issue. Rick Schuh made the motion to place a reprimand in their file and a \$100.00 fine. Seconded by Ernie Thurman. M/S/C.

20. Cheryl Kruger and Francine Johnson left the meeting while the board discussed the succession plan for the Executive Director. Upon their return, they were informed that Mike Stensrud, Mike Wetsch, Randy Ziegler, and Francine Johnson were appointed to the committee to hire an Executive Director. Mike Stensrud will chair the committee. Cheryl Kruger was informed that she will be full time until the end of the year and she may apply for the position of Executive Director.

21. The next meeting has been rescheduled for May 23, 2017.

22. Rick Schuh made the motion to adjourn the meeting. Seconded by Mike Wetsch. M/S/C. The meeting adjourned at 2:55 p.m.

  
Chairman

5-23-17  
Date

  
NDPISB Office Assistant

5/23/17  
Date