

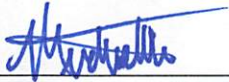
MINUTES
October 4, 2021
9:00 A.M.
ND PISB Board Meeting-Zoom Video Conference
NDPISB

1. Chairman Mike Wetsch called the meeting to order at 9:11 a.m. Board members present: Mike Wetsch, Justin Blinsky, Jason Nelson, and Ernie Thurman. Board members absent: Randy Ziegler and Steve Lundin. Others present: Executive Director John J. Shorey III, Board Legal Counsel Monte Rogneby, Board Legal Counsel Jusitn Hagel, James Iyere, Assistant Attorney General Allyson Hicks, Assistant Attorney General Courtney Titius, Chris Anderson, Attorney John Ward, and Attorney Chris Redmann. There was a speaker phone in the hallway of the Board's Office available for the public.
2. Allyson Hicks advised the agenda item "Energy Transfer LP and Dakota Access LLC vs. ND PISB and TigerSwan, LLC Case No. 08-2020-CV-02788, First Look Media Works, Inc. vs. NDPISB Case No. 08 2020-CV-03093, Energy Transfer LP and Dakota Access LLC vs. ND PISB and TigerSwan, LLC Administrative Appeal Case No. 08-2020-CV-03049" was going to be a case update from Courtney Titus that would be provided in open session. Courtney provided an update: the administrative appeal is in a briefing schedule at this time; the original action with the claim and delivery has been taken under advisement by the court and are awaiting a decision on all the motions that were filed; the First Look case is consolidated into the other, so no update was provided. Courtney asked if there were any questions and there were none from the Board.
3. John advised Attorney John Ward and Attorney Chris Redmann were in attendance and expressed interest in the Board Legal Counsel position. John advised he had forwarded out to Board Members information both Attorneys provided and suggested the Board allow them to present to the Board. Attorney John Ward provided his background to Board Members which included his work for the ND Professional Engineering and Land Surveying Board and practice in Government Relations. Attorney Chris Redmann provided his background to Board Members which included his work in law enforcement and as a prosecutor. Justin stated he would like to have the two Board members who were not in attendance's input. Monte suggested a special meeting with all Board members present to discuss this matter. Mike directed John to work on scheduling a special meeting with all Board members present.
4. Chris Anderson used the chat function of Zoom to advise his microphone was not working. Mike asked if he could try to call in to be able to speak. Chris was able to call in and be heard. Chris asked if the Board had questions about what he provided. John asked Chris how many hours he had as a contract tracer with the State. Chris replied about 1200-1300 hours. Chris stated with contract tracing and case investigator and surveillance work he has 2000 hours combined. John stated as they had previously discussed, did Chirs have third-party documentation of those hours? Chris stated that he had pay stubs from the State and Private Investigations. John stated the question was if the Board determined his work for the Department of Health as a contract tracer as equivalent experience. Mike asked Chris if he could inform the Board of the nature of his work for the Department of Health. Chris summarized he would get the name of an individual who tested positive, would interview them on where they had been and what they had been experiencing, the names of other people they may have been in contact with, and interview those people as well. Justin asked Chris about the work he did in South Dakota. Chris stated there is no licensing in South Dakota, he was a contractor, and he had paycheck from an employer. Monte stated he and John talked about this matter and the applicant should be providing documentation for equivalent experience with an explanation on the rationale. John stated there is not a pending application, but the applicant wanted to see if the Board would approve this as equivalent experience prior to applying. Jason told Chris he needed to provide additional information on his experience. Chris stated he was looking to see if the contract tracer would be approved as equivalent experience prior to

applying. Jason encouraged Chris to apply for a licensure and provide documentation on his previous experience and the Board would decide at that time. There was Board discussion about procedurally on how to handle these types of inquiries about equivalent experience. John stated past practice if the Executive Director did not think the documentation was sufficient the application would be returned to the applicant as incomplete. John commented this issue could be incorporated into the written policies and procedures the Board was working on. There was discussion on applicants submitting a complete application versus just submitting documentation on the equivalency determinations that come up. John asked the Board for directions on Chris' application; the consensus of the Board was that either an application or further documentation on the equivalent experience was fine. John provided examples of third-party documentation the Board typically receives.

5. James Iyere summarized his formal complaint letter against Sentry Security, Inc., which he submitted to the Board. Monte commented that the complaint was a civil matter and that in his opinion was outside the Board's jurisdiction. Monte told James that this was a private matter between him and Sentry Security, Inc. James replied OK.
6. James Iyere Transfer Application with A.S.P. of Moorhead, Inc. John stated they had received a transfer application for James from A.S.P. of Moorhead, Inc. James stated he did not want to work for A.S.P. of Moorhead, Inc. John asked James if he told A.S.P. that and he said no. John stated the application was incomplete, but that if he didn't want to work for them, it was a moot point, but that James should communicate that to A.S.P.
7. John stated the Board needed to work on administrative rules due to recent legislative changes including fees, armed first responders in schools and fire fighter/EMS program, and on-line training. John summarized the work that had been done to date and provided to Board members. There was discussion on limiting online or live remote training for only apprentice level security officers along with a timeframe for the certification of the training and what to do if any changes are made to the training. There was discussion on re-certification for individuals under the armed first responders in schools and fire fighter/EMS program and if the Board had authority to mandate that or not. The Board's consensus was to work into the proposed administrative rules language the suggested changes provided to members and discussion at the Board meeting and for Monte and Justin to research the issue of re-certification armed first responders in schools and fire fighter/EMS program for the Board and report back to the Board with both for possible approval at a future meeting.
8. Ernie provided a financial report. Ernie stated as of August the Board had \$8,096.82. Ernie stated the ending balance as of August 31 was \$19,713.66. Jason made a motion to approve the financial report. Justin second. A roll call vote was taken, and it was unanimous to approve the motion.
9. 2019-2020 Audit Update. John stated he did not have an update at this time, was still working on it, but would be coming back to the Board with an update.
10. 2020 Renewal Season & Backlog Update. John provided an update and stated the Board was still dealing with a backlog from 2020 which was causing backlogs in other areas as well. John stated he was working his way through the backlog the best he could and was dealing with the current renewal season as well.
11. Ratification of Licenses and Registrations issued and renewed. John stated this was backlogged.
12. Minutes. John stated that he did not have a chance to finalize some of the draft minutes he was working on, so he did not have any minutes for review.
13. Board Office Staffing Update. John stated he had not had a chance to post the opening yet, he had been too busy to do it, and wanted direction from the Board once applications had been received how they wanted to proceed. John stated he had discussed with Monte with him (John) screening the applicants and conducting interviews and then coming back to the Board with applicants. Monte stated he was fine with this. The consensus of the Board was to go that route to speed things up.

14. Bruce Bowersox Email-Board Response Letter. John summarized the Board's response and Bruce's response back. Justin commented that there were reasons for the delays that are often due to the applicants themselves and thought that it was important to note.
15. IASIR 2021 Annual Conference (Virtual) October 26-November 4, 2021. John stated he thought he and a Board member should attend, but due to the financial situation and the backlog, he would advise against it at this time.
16. There was Board discussion on the Board's financial situation, along with upcoming expenses due to the administrative rules process, the ongoing litigation, and exploring funding sources. Talking with Allyson Hicks with the Attorney's General Office about these issues was discussed as well. Mike stated he thought a good place to start would be with Allyson.
17. Application Procedures and Policy Update. John stated he and Monte continue to work on this.
18. John stated the next regular meeting was November 16, 2021, at 9:00 A.M. via Zoom. Justin stated he would be unavailable.
19. Jeffery Howell Application. Jason made a motion to approve the application. Ernie seconded. A roll call vote was taken, and it was unanimous to approve the motion.
20. Ernie made a motion to adjourn the meeting. Jason seconded. A roll call vote was taken, and it was unanimous to approve the motion. The meeting was adjourned at 10:54 A.M.



Chairman



Date



NOPISB Executive Director



Date