

MINUTES

March 8, 2019

9:00 a.m.

ND PISB Board Meeting-Sanford Officers Training Center Mandan, ND

1. Chairman Mike Stensrud called the meeting to order at 9:01 a.m. Board members present: Mike Stensrud, Ernie Thurman, Nancy Miller, and later Mike Wetsch (In at 10:22 a.m.). Board members absent: Randy Ziegler. Others present: Executive Director John J. Shorey III, Board Legal Counsel Monte Rogneby, and Jon Jacobson with 701 Investigations.
2. Minutes were reviewed from previous meetings. Nancy Miller made a motion to approve the minutes from the 11-27-19 meeting and the 12-7-18, 1-15-19, and 2-1-19 special meetings. Seconded by Ernie Thurman. M/S/C.
3. Complaint by 701 Investigations Against ND PISB Executive Director: Monte Rogneby. The Board received a complaint from 701 Investigations (Jon Jacobson) against Executive Director Shorey. Because of the conflict of interest, the Board's Attorney, Monte Rogneby, presented information concerning the complaint to the Board and he took the minutes for this agenda item. After Monte outlined the nature of the complaint, he recommended the Board discuss it in executive session for attorney consultation. Ernie Thurman moved, and Nancy Miller seconded the motion, to go into executive session. The motion passed unanimously on a roll-call vote. Monte recorded the executive session which lasted from 9:18 to 9:27. When the Board returned to open session, Nancy Miller moved that Board take no action at this time on the complaint and that the Board release to Mr. Jacobson the email correspondence between John Shorey and law enforcement. Ernie Thurman seconded the motion. The Board discussed the motion and noted that John's communications with law enforcement had only been in writing and that those communications contradict the complaint against John. The motion passed unanimously. Monte then discussed this matter with Mr. Jacobson, who was present. Monte was directed to send a written response to Mr. Jacobson as well as a copy of the email correspondence.
4. Chairman Mike Stensrud summarized the letter received from Justin Lutz regarding security officers and private investigators showing their pocket cards upon demand of law enforcement or public citizens. Mike stated he reviewed the law and code and there is nothing in either that says this must be done. Mike stated this matter was brought before the Board for informational purposes. Mike stated it was assumed in the industry that if law enforcement requested ID that it would be produced. Nancy noted this was not brought up in the recent rule changes. The Board advised that no action would be taken. Jon Jacobson stated the computer system accidentally updated his P.O. Box address to his home address, and that is concerning if he must show a member of the public his pocket card that may or may not have his home address on it. Jon noted most private investigators he knows work out of their homes.
5. John provided an update on NHS Security, Rochester Armored Car, and Third Shore Investigations. John stated based on Board action at the last meeting stipulations and letters were sent to the above. John stated the agencies-license holders have until March 27, 2019 to respond. John provided an update with 10-Code and advised the letter of reprimand based on Board action at the last meeting was sent to them.
6. John provided an update with CoventBridge Group and advised that the letter of reprimand was sent out on December 18, 2018. John advised there was no response, so the matter is closed unless CoventBridge decides to appeal.


7. John provided an update with G4S Secure Solutions. John stated at the last meeting the Board decided to revise the open stipulation with G4S Secure Solutions. John stated there was a new violation to be discussed at this meeting, so he and Monte decided to wait to send the revised stipulation. John provided a summary of the current unregistered employee violation with G4S employee Scott Hess. John stated a weapons instructor requested a weapons exam for Scott Hess. John stated upon checking Hess' file he was inactivate by G4S via email on 9-24-18. John stated a letter was sent to G4S requesting a written response. John stated G4S's response was that this was an honest mistake and not done maliciously. John stated G4S is currently on probation. Nancy made a motion to add the following to the open proposed stipulations: \$500 fine and monthly compliance monitoring for one year. John clarified with the previous stipulation it would now be a total of a \$6000 fine, one year of probation, and one year of compliance monitoring. Ernie seconded. Ernie mentioned requiring a representative of G4S appear at the next meeting. Monte advised that could be built into the stipulation. Nancy amended her motion to include the requirement that a representative of G4S appear at the next Board meeting. Ernie seconded the amendment. M/S/C.
8. John provided an update with Eagle Eye Security Systems. John advised Monte was to send out a letter, but that Monte hasn't caught up to it yet, and a letter will be sent out.
9. John provided an update with Jade Presents. John stated new information came to light regarding Hartmann Security Resources which ties into this matter. John provided a summary of the potential unlicensed security activity of Hartmann Security Resources. Monte suggested to the Board to send an open records requests to the Fargo Dome regarding their security contractors. John stated he looked for Hartmann Security Resource's Facebook page last night and could not find it, so he thought they had taken it down. Monte suggested a letter be sent to Hartmann Security Resources confirming they are not providing security. The Board agreed.
10. John provided an update with Armored Knights and Trevor Millikan. John stated the stipulation was fully executed. John stated part of the stipulation was they shall provide an update as to Millikan's ownership interest and file with the Board any paperwork required to give notice of the ownership change for Armored Knights and/or appeal for a new security agency license if necessary, within 30 days of the execution of the stipulation. John stated nothing has been received from Armored Knights or Trevor Millikan and requested the Board's OK to have Monte send a letter. The Board agreed.
11. John provided a summary of the Russell Security Company II, Inc. unregistered employee violation. John advised Russell had submitted a renewal application in 2018 for an individual who was not registered with the Board. John read Russell's written response that included the employee, Justin Richardson, was transferred out of their security department into operations once it was learned he was not registered. John stated Richardson has not become registered with the Board. Nancy made a motion to issue a letter of reprimand. Ernie seconded. Nancy stated to include in the letter if Richardson transfers back to security he needs to be registered with the Board. M/S/C.
12. John provided a summary of the potential unlicensed private investigation activity of Matthew Beauchene. John advised an email-letter was sent to Mr. Beauchene and there was no response. John advised he was looking for direction and if they wanted him to locate a mailing address and send a letter. The Board agreed to have John locate a mailing address and send a letter.
13. John provided an update with the licensing exams and study guides committee. John stated this week the information was sent to the committee and they hope to report back at the May 2019 meeting.

14. John provided a summary of legislative bills that he had been monitoring.
15. John advised that J-N-T Security had not renewed their license, and no further action will be taken based on previous Board direction.
16. John advised when he had brought forth the meeting dates for 2019 his intention was for the days to be Tuesdays. John stated after the meeting dates were approved it was learned 5-20-19 and 8-19-19 were Mondays instead of Tuesdays. Ernie made a motion to change the two dates to Tuesdays, 5-21-19 and 8-20-19. Nancy Seconded. M/S/C.
17. John advised the Board was due for an audit and he reached out to the accounting firm that has done the audit for the Board in the past. John advised he learned there may be an alternative to a full audit via the State Auditor's Office. John stated he had contacted the State Auditor's Office and they were looking into if the Board could complete the alternative process versus a full audit. The Board agreed to wait to hear back from state auditor's office before deciding.
18. John discussed the need for accounting services for the Board. John stated when he was researching QuickBooks training, he had reached out to Flynn & Associates PC and they quoted \$75.00 per hour for QuickBooks Training. John stated he contacted Flynn & Associates PC and inquired if they would be willing to provided accounting services on an as-needed basis. John stated Flynn & Associates PC advised they could at the rate of \$75.00 as needed and would do an engagement letter. John stated he was looking for Board approval to have Flynn & Associates PC provide him 2-3 hours of QuickBooks training and to enter into an agreement with them for accounting services as-needed at \$75.00 per hour. Nancy made a motion to approve 2-3 hours of QuickBooks training for John and to enter into an agreement with Flynn & Associates PC for as-needed accounting services at \$75.00 per hour. Ernie Seconded. M/S/C. Mike Wetsch arrived at 10:22 a.m.
19. Board Treasurer Nancy Miller gave the financial report. Nancy stated as of January 31, 2019 total checking and savings was \$110,589.26. Nancy stated of that amount just shy of \$30,000 was in checking and just shy of \$81,000 was in CDs. Nancy stated the total assets and liabilities was \$93,890.24. Nancy stated she had reviewed the income and expenses from the period of the last Board meeting to now and everything appeared to be in order. Mike Wetsch made a motion to approve the financial report. Ernie seconded. M/S/C.
20. Nancy advised she wished to step down from the Treasurer position. Mike Wetsch made a motion to accept Nancy's resignation as Treasurer effective immediately. Ernie seconded. M/S/C. Mike Wetsch nominated Ernie for the Treasurer position. Nancy seconded. M/S/C. There was discussion on outstanding legal service invoices. Monte and John will work on the issue and report back to the Board.
21. A motion was made by Ernie Thurman to close the meeting for an executive session for attorney-client consultation concerning Advanced Security and William Gordon, B & C Security update, TigerSwan, and Leighton Security. Seconded by Mike Wetsch. A roll call vote was taken, and it was unanimous. The executive session began at 10:49 a.m. The executive session adjourned at 11:11 a.m. The public was invited back for the open session of the meeting.
22. Ernie made a motion to approve the stipulation with William Gordon. The terms include Mr. Gordon admitting the violations outlined in the stipulation and tendering his license and ceasing to provide security services in North Dakota effective March 15, 2019. Mike Wetsch seconded. M/S/C.

23. John stated during the Board meeting he received an email from the State Auditor's Office regarding the Board's audit requirements, which he forwarded to Board members for review. Ernie made a motion to have the Board undergo a full audit. Mike Wetsch seconded. M/S/C.

24. Jon Jacobson addressed the Board regarding the appearance of the Board's issued pocket cards. Jon advised they appear homemade and he has been questioned on the cards in the past. Jon advised the Board charges professional fees and his expectation is he has a professional looking license card. Mike Stensrud stated the comments were noted.

25. Mike Wetsch made a motion to adjourn the meeting. Second by Ernie. M/S/C. Meeting adjourned at 11:20 a.m.


Chairman

5-21-2019
Date


NDPIBSB Executive Director

5-21-19
Date


Board Legal Counsel

5-21-19
Date