

MINUTES
August 16, 2016
Board Meeting-Bismarck Airport
Bismarck, ND

1. Treasurer John Shorey called the meeting to order at 11:01 a.m. Board members present: Mike Stensrud, Rick Schuh, Nancy Miller, (via telephone). Others present: Executive Director, Francine Johnson, NDPIBS Office Assistant, Cheryl Kruger, NDPIBS legal counsel, Monte Rogneby, Scott Williams, representing Pro Dog, Brian Trondson and Rendell Russell, representing G4S Secure Solutions, Brian Beilke, representing Universal Protection.
2. The minutes from the August 2016 meeting were reviewed. Mike Stensrud made the motion to accept the minutes. Second by Rick Schuh. M/S/C.
3. The financial report was presented by John Shorey. As of July 31, 2016, current assets were \$202,124.92, total income was \$5,395.00, expenses were \$8,074.21, and net income was -\$2,679.21. Motion was made by Mike Stensrud to approve the financial report. Second by Rick Schuh. M/S/C.
4. The resignations of Bill Butcher and Jerry Kemmet were reviewed and accepted. It was noted that the Board now has two vacancies. According to statute, the Board can have a minimum of 5 members but no more than 11. Monte Rogneby recommended that if the Board decided to keep the current number of 5 members to 5, the Governor's office should be notified. It was determined that the board members should remain at 7. Individuals interested for consideration to serve on the Board should send their applications to the Governor's office. A request will be made to the Governor's office to gain a list of names and applications thus far. The Executive Committee will review them and make recommendations to the Governor's office. This committee meeting will be noticed in accordance with open meeting laws.
5. Elections of officers occurred. Nominations for chairman were opened. Rick Schuh nominated Mike Stensrud. Mike Stensrud withdrew from nomination. Mike Stensrud nominated John Shorey. Nancy Miller seconded. Nominations were closed. The Board voted unanimously for John Shorey as Chairman. The nominations opened for Vice-Chairman. John Shorey nominated Mike Stensrud for Vice Chairman. Seconded by Rick Schuh. The nominations were closed. Mike Stensrud was voted unanimously for Vice-Chairman. Nominations were opened for Treasurer. John Shorey nominated Nancy Miller as Treasurer. Seconded by Rick Schuh. Nominations were closed. The Board voted unanimously for Nancy Miller as Treasurer. It was noted that the position of Secretary will remain with the Board staff. Monte Rogneby recommended revisiting elections in November at the regularly scheduled meeting to comply with previous protocols and to adhere to new board members attendance and participation.
6. Richard Anderson sent an email to the Board requesting to work as a registered security officer even though he is prohibited from being licensed in North Dakota. Monte Rogneby stated that the Settlement Agreement states that the Board can refuse licensure. Richard Anderson has violated the Settlement Agreement and owes the Board \$687.45 as of September 1, 2016. Monte Rogneby will draft the letter to Mr. Anderson informing him of the refusal of registering him as a security officer and his continued violation of the agreement.
7. Francine Johnson provided board members with materials related to open records and open meeting guidelines for their reference. They were also informed of the entire manual available on the Attorney General's website.

8. Mike Stensrud and Nancy Miller indicated that the "Ad Hoc" Committee established by former Chairman Bill Butcher for the purpose of proofing board minutes was dissolved, therefore there was nothing to report.
9. Olivia Emmel, Registered Investigator of W.T. Butcher & Associates, sent a letter inquiring if her work as a legal assistant for Morton County would affect her registration. She was informed that if she had any access to law enforcement records, she could not be a registered investigator. A letter was received from the Morton County States Attorney, Brian Grosinger, confirming that Olivia Emmel would have *no* access to law enforcement records. Mr. Grosinger stated that he would notify the Board once her position is complete or if her duties changed.
10. Cheryl Kruger shared with the Board that Union Colony Protective Services President confirmed that a former employee, David Wright, a convicted felon, was no longer employed or associated with their agency.
11. Cheryl Kruger provided a summary of unregistered security officer, Lorilee Wolf of G4S Secure Solutions. Her registration expired 9/30/15 and she/company did not renew. A letter was sent to the license holder, Carl Page, informing him of the violation. He responded that it was an internal error and steps have been taken to ensure that it won't happen again. Brian Trondson of G4S was present at the meeting, but stated that the violation was at the Wyoming office, so he was unfamiliar with it. Nancy Miller made the motion to send and retain a letter of reprimand in the company's file. No additional action will be taken. Seconded by Rick Schuh. M/S/C
12. Cheryl Kruger provided a summary of denied applicant, Marsha Richards, and her doing security work for Universal Protection after being denied. The license holder, Brian Beilke, stated they were not aware that Ms. Richards was still working. When they received notice, they discontinued her employment immediately. Rick Schuh made the motion for a letter of reprimand to be placed in their file and sent to the license holder. Seconded by Mike Stensrud. M/S/C. It was noted that the Agency is responsible for violation and not the employee.
13. The unregistered employees of Pro Dog, Scott Volker and Alexander Fisher, were discussed. Both were inactivated on 9/30/15, but continued to conduct security work. It was noted that Pro Dog is still on probation for a previous violation until September 13, 2017. The Board's office sent a letter informing them of the violation on August 1, 2016. Scott Williams of Pro Dog stated that both are still working as security officers. The Board agreed that a notice will be sent to the license holder, Keith Rowan, informing him that he violated the former Stipulation agreement and violated their probation along with the violation of employing unregistered officers. Mike Stensrud made the motion that Scott Williams is to convey to Keith Rowan that Volker and Fisher cease work immediately and that the Board requires 24 hour notification that this has occurred. The board requires notification no later than 1:00 p.m., August 16, 2016 by the license holder. Notification can be sent to the NDPIBS office by email. Seconded by Rick Schuh. M/S/C. This issue will be discussed again during a special meeting or the November, 2016 regular meeting. In an unrelated matter, Scott Williams inquired as to whether the office could fax copies of the registrations cards to speed up the process. The Board agreed that agencies can provide FEDEX labels to speed up the process if they wish, but the office will not fax the registration cards. Mike Stensrud made a motion that a letter be sent to Pro Dog requesting a written response as to why they have violated their probation and to inform them that the issue will be further addressed at the upcoming November meeting. Seconded by Rick Schuh. M/S/C. Monte Rogneby will assist with preparation of the letter.
14. Francine Johnson informed the Board of the upcoming deadlines for legislative changes for purposes of preparation of any potential changes. The deadline is December 1, 2016. Monte

Rogneby indicated it is easier to do a rule change rather than a legislative change and the board should be mindful of this.

15. Francine Johnson informed the Board that Levi Andrist, attorney representing Dakota Access Pipeline contacted the office about security with the pipeline. They were planning to attend the meeting to address some security issues, but later canceled.


16. Mike Stensrud informed the Board that NDBCI will no longer provide agency background results on the same day as requested with reference to provisional registrations. He was informed that they will take 7 to 10 business days and the results would be mailed to each agency when completed. The NDPIBS office is also experiencing delays with gaining results in a timely manner. NDBCI stated the reason for the delays is due to them being short-staffed. Mike Stensrud volunteered to speak with BCI and explain the current security situation and appeal to them in an effort to receive results in a more timely and efficient manner. Francine Johnson will draft a letter for Mike Stensrud to present to NDBCI.

17. Brian Trondson inquired as to whether agencies can submit their own background checks in lieu of the state and federal backgrounds currently conducted. He was informed that ND BCI and FBI results are currently the only backgrounds accepted according to statute. An additional request from Brian Trondson and Brian Beilke was to allow upgrades and armed testing during the renewal season. It has been the policy of NDPIBS staff to suspend upgrades and exams during this busy time. Staff was directed to allow for these upgrades and exams during this period. Renewals and new applications are still handled in the same manner. All applications are handled in the order in which they are received. In a related matter, discussion of placing Cheryl Kruger on full time hours was conducted. Nancy Miller made the motion to hire Cheryl for full time until the end of December 2016. Cheryl informed the Board she would like to maintain her flexible hours even though she would be employed full time. The Board will review the policy for full time employment at the November board meeting. Seconded by Rick Schuh. M/S/C.


18. The next meeting is scheduled for November 29, 2016, 11:00 a.m., at the Bismarck Airport.

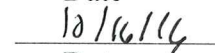
19. Nancy Miller made the motion to adjourn the meeting. Rick Schuh seconded it. M/S/C Meeting was adjourned at 1:52 p.m.



Chairman


NDPIBS Office Assistant



Date


Date