

MINUTES
February 25, 2016
Board Meeting-Bismarck Airport
Bismarck, ND

1. Chair Bill Butcher, called the meeting to order at 11:10 a.m. Board members present: Bill Butcher, Mike Stensrud, Randy Ziegler, Rick Schuh, Nancy Miller, John Shorey and Jerry Kemmet. Others present: Executive Director – Francine Johnson, NDPIB Office Assistant, Cheryl Kruger, Monte Rogneby, NDPIB legal counsel, Bill Gordon of Advance Security, Steve Kilde of 10-Code, Steve and Francine Gaber of Sentry Investigations.
2. The minutes from the November 2015 meeting were reviewed. Mike Stensrud made the motion to accept the minutes. Second by Rick Schuh. M/S/C. The minutes from the December 2015 conference call were reviewed. Jerry Kemmet made a motion to accept the minutes. Randy Ziegler seconded the motion. M/S/C.
3. The financial report was presented by John Shorey. As of January 31, 2016, current assets were \$223,239.93, total income was \$3159.00, expenses were \$6183.47, and net income was - \$3024.47. Motion was made by Mike Stensrud to approve the financial report. Second by Nancy Miller. M/S/C.
4. Monte Rogneby gave an update on in-state and out-of-state active law enforcement working as security officers in North Dakota. The Board previously requested that the AG provide the Board with an opinion in writing on the issue. Monte advised that the AG office indicated that a written opinion by the AG is not necessary and that he (Monte) would render his written opinion to the Board. Mike Stensrud made a motion to rescind the request for the AG opinion and it was seconded by Jerry Kemmet. M/S/C. John Shorey abstained from the vote. Monte advised that he would prepare and send his written opinion on the matter to the Chair in the near future.
5. Steve Kilde of 10 Code gave a presentation requesting that all military personnel be granted security officer level status. He was advised that the standard practice at this time is that unless the applicant has proof of military police status or security related duties while in the military, they would be registered at the apprentice level. He indicated that tours of duty and basic training should provide enough proof of expertise to override the apprentice level. Kilde indicated that basic training should be considered as an equivalency. There was a good deal of discussion on this matter and it was determined that if the applicant could provide sufficient proof of experience in the security related field while in the military, it could be considered as an equivalency, however, these would be on a case by case basis and would come before the board for review. The burden of proof would be upon the applicant or license holder to supply said proof to the Board for applying the equivalency standard.
6. At 12:10 p.m., the Board elected to engage in executive session upon the advice of Attorney, Monte Rogneby. The session was to discuss and receive advice from Monte Rogneby as it related to the active law enforcement issue and license and registrations. John Shorey recused himself from the session. The executive session adjourned at 12:30 p.m. and the public was invited to return to the open meeting. Chairman, Bill Butcher informed the general meeting attendees, based upon attorney advice, the previous attorney's opinion regarding in and out of state law enforcement working as security officers in North Dakota was rejected by the Board. The Board will reinstate the previous policy which allows active duty law enforcement to engage in security work as employees of licensed security agencies. This also applies to active law enforcement outside of the state of North Dakota, provided their definition of active or inactive

law enforcement is similar to the North Dakota definition. Nancy Miller made the motion for Monte Rogneby to draft a letter/opinion outlining this decision. Jerry Kemmet seconded the motion. M/S/C. It was also recommended that all previous registrations that were returned to the board could be reinstated by the renewal process. There will be a limited timeline for agencies/applicants to do so once the letter has been drafted by legal counsel. A letter will be sent to all license holders informing them of this decision, process, and policy.

7. Francine Johnson updated the board with regard to the assignment of researching the costs to change the current bank account from a personal account to a business account. Additionally, the service charge of \$6.00 per month was questioned. She informed the board that the change in accounts could be conducted; however, the costs to change the account number would require changes in the check blanks as well as other documents. The Board could also go paperless to avoid the monthly bank service fee, however, when the required audit is conducted every two years, the bank would charge \$30.00 per hour to provide paper copies of statements for the years audited. Additionally, there would be no hard copy record for the treasurer to review. Given these circumstances, the cost to make the requested changes would be approximately \$2000.00. The board deemed it unnecessary. There will be no changes made to the current practices.

8. The Board reviewed the security trainer requests made by Rory Schuh of Securitas Security involving Kara Connaughton, Micah Slemptes, and Rory Schuh. After discussion, it was determined that Rory Schuh and Micah Slemptes do not meet the criteria for Security Trainers. Kara Connaughton can qualify as a security trainer based upon an equivalency training and experience as a certified correctional officer and so the Board waived the training and experience requirements for security officer hours in her case. However, she must supply the curriculum as outlined in previous requests. Notification will be sent to Rory Schuh as well as the license holder, Kip Sandoz, outlining the decision and highlighting the requirements.

9. The Board reviewed a complaint against Francine Gaber of Sentry Investigations by Donnie McKenzie. McKenzie indicated Sentry Investigations did not supply her with the investigative information she requested and was requesting a refund of funds. Gaber indicated that the investigation was still ongoing and this is the first they heard of any issue regarding their client. The Board deemed the matter to be a contractual issue that can be remedied through civil process. No further action will be taken. A letter will be sent to Donnie McKenzie informing her of the decision.

10. The next meeting is scheduled for May 24, 2016, 11:00 a.m., at the Bismarck Airport.

11. Mike Stensurd made the motion to adjourn the meeting. Jerry Kemmet seconded it. M/S/C Meeting was adjourned at 1:35 p.m.



Chairman



NDPISB Office Assistant



Date



Date