

**MINUTES**  
**November 27, 2018**  
**11:00 a.m.**  
**ND PISB Board Meeting-Sanford Officers Training Center**  
**Mandan, ND**

1. Chairman Mike Stensrud called the meeting to order at 11:11 a.m. Board members present: Mike Stensrud, Ernie Thurman, Nancy Miller, Mike Wetsch and Randy Ziegler. Board members absent: None. Others present: Executive Director John J. Shorey III, Board Legal Counsel Monte Rogneby, Laurie Diede-Officer Manger 10-Code, LLC and Steve Lundin-Owner 10-Code, LLC.
2. Minutes were reviewed from previous meetings. Ernie Thurman made a motion to approve the minutes from the 8-31-18 meeting and 10-18-18 special meeting. Seconded by Randy Ziegler. M/S/C.
3. Randy Ziegler made a motion to keep the Executive Officers the same with Mike Stensrud as Chairman, Mike Wetsch as Vice-Chairman, and Nancy Miller as Treasurer. Ernie Thurman seconded. M/S/C.
4. Board Treasurer Nancy Miller gave the financial report. Nancy stated she reviewed the financials, and everything appeared to be in order. Nancy stated as of October 31, 2018 total assets and liabilities were \$83,820.84. Nancy stated of that amount \$80,880.06 was in CDs and \$18,343.55 in checking. Randy Ziegler made a motion to accept the financial report. Seconded by Ernie Thurman. M/S/C.
5. Chairman Mike Stensrud stated he was going to defer agenda item # 5 budget to a special meeting to take place at the earliest convenience via telephone conference.
6. Executive Director Shorey advised the Board he received notice from ND BCI that the FBI was going to increase their fees for the records check effective January 1, 2019. Executive Director Shorey advised the fees were going to increase by \$1.25. Executive Director Shorey stated ND BCI advised that the new fees needed to be submitted starting after December 21<sup>st</sup>, 2018, so the increase for all intents and purposes starts then. Executive Director Shorey stated the total new fees for both ND and FBI records checks would be \$41.25 after the increase goes into effect. Executive Director Shorey advised he would send out notice to agencies, and that application forms and the Board's website would need to be updated.
7. Executive Director Shorey provided a summary of the late registration renewal with unregistered activity employee violation of 10-Code, LLC. Mike Wetsch advised he was going to recuse himself from the matter. Executive Director Shorey advised the registration renewal with unregistered activity was regarding 10-Code, LLC employee Darren Messmer who holds armed registered investigator and commissioned security officer registrations. Executive Director Shorey stated a list of individuals who had not renewed with 10-Code, LLC was emailed to the license holder Steve Kilde and Laurie Diede was copied on 10-8-18. Executive Director Shorey stated Laurie had hand delivered Darren Messmer's renewal application on 10-9-18. Executive Director Shorey stated he emailed Steve Kilde on 10-9-18 inquiring if Darren had provided any investigative or security services from 10-1-81 to 10-9-18. Executive Director Shorey stated Laurie responded that Darren had not done any investigations in that time frame. Executive Director Shorey stated he followed up with an email to Laurie inquiring if Darren provided any security services. Laurie responded he had not. Executive Director Shorey stated Darren's cards were issued on 10-10-18. Executive Director Shorey stated Steve Kilde sent an email on 10-10-18 advising that he had spoken with Laurie and realized that Laurie had provided the Board with misinformation by mistake and that Darren had been providing security services unregistered.

Executive Director Shorey stated he had talked with Laurie on the telephone and she apologized to him about the misinformation. Executive Director Shorey advised Steve Kilde provided a written response to the situation which was provided to Board members. Steve Lundin addressed the Board and reiterated they did not intentionally try to mislead the Board on if Darren provided any security services during the unregistered period. Steve stated Darren had worked six days between 10-1-18 and 10-9-18. Steve stated once the issue was noted they had Darren stop working until his registrations were issued. 10-Code, LLC's previous violation were discussed. Nancy Miller made a motion to issue a letter of reprimand to 10-Code, LLC with no fine. Randy Ziegler seconded. M/S/C. Laurie said she wanted to let the Board know that Executive Director Shorey was doing awesome job and answered any questions she has.

8. Executive Director Shorey provided a summary of the late licenses and registrations renewals with unregistered/unlicensed activity violations of NHS Security, LLC. Executive Director Shorey advised the Board had received NHS Security, LLC security agency license, Terry Kiser's security provider license, Chris Kiser's apprentice security officer registration, Joshua Kiser's Security Officer registration, and Daniel Locy's apprentice security officer registration renewal applications late. Executive Director Shorey stated all were received in the same envelope on 10-3-18 and noted the envelope was post marked on 10-2-18. Executive Director Shorey advised there was an issue with the insurance documentation and that he had both emailed and talked with the license holder Terry Kiser on 10-3-18 about the insurance deficiency. Executive Director Shorey advised the insurance deficiency was resolved on 10-3-18. Executive Director Shorey advised in the same email he had inquired if Terry or any other agency personnel had provided security services from 10-1-18 to 10-3-18. Executive Director Shorey stated Terry answered on 10-3-18 they had done security work in the last couple of days. Executive Director Shorey advised the licenses and registrations were all issued and mailed on 10-5-18. Executive Director Shorey Terry Kiser had provided a written response to the situation which was provided to Board members. NHS Security, LLC's previous violations were discussed including the fact they were currently on probation. Nancy commented that NHS Security, LLC had preemptively sent in the late fees. Nancy Miller made a motion to offer a stipulation with a \$1000.00 fine and one-year extension of their current probation. Mike Wetsch seconded. M/S/C.
9. Executive Director Shorey provided a summary of the late registrations renewals with unregistered activity with Rochester Armored Car. Executive Director Shorey stated a list of individuals who had not renewed with Rochester Armored Car was emailed to the licensed holder Paul Herek on 10-8-18. Executive Director Shorey stated on 10-8-18 Charles Farrington with Rochester Armored Car called and talked with him about the renewal process. Executive Director Shorey stated Paul Herek emailed him on 10-8-18 and stated they were going to overnight paperwork for the following individuals: Brad Bennett, Cordell Schnasa, and Dalton Plautz. All of these individuals were on the list who had not renewed. Executive Director Shorey advised on 10-9-18 the Board received renewal applications for those three individuals. Executive Director Shorey advised he had emailed Paul Herek inquiring if the individuals had been providing security services from 10-1-18 to 10-9-18. Executive Director Shorey advised Mr. Herek replied via email on 10-9-18: Schnasa has been proving unarmed security service in ND from 10-1-18 to 10-9-18. Bennett is a courier and advised Bennett does not provide security services and they had licensed Bennett and will continue to do so just in case he is needed on one of the armored car routes. Plautz had not provided security services in that time frame; that Rochester Armored Car had transitioned Plautz into their coin room which is an administrative position, and that Rochester Armor Car will continue to license Plautz with the state in case his is needed for a route. Executive Director Shorey advised the registrations for all three individuals were issued on 10-10-18. Rochester Armored Car's previously violations were discussed. Nancy Miller made a motion to offer a stipulation with a \$750 fine and one-year probation. Ernie Thurman seconded. M/S/C.

10. Executive Director Shorey provided a summary of the late registration renewal with activity of G4S Secure Solutions employee Robert Montgomery. Executive Director Shorey stated a list of individuals who had not renewed with G4S Secure Solutions was emailed to the licensed holder Carl Page on 10-9-18. Executive Director Shorey advised on 10-11-18 the Board received an email from Heidi Dolan with G4S that contained an attached renewal form for Robert Montgomery. Executive Director Shorey advised Heidi in her email indicated she had them pull Robert off post 10-10-18. Executive Director Shorey advised he sent an email to Carl Page on 10-12-18 inquiring if Robert has been working from 10-1-18 to 10-11-18. Heidi responded to that email advising that Robert had worked 25 hours between 10-1-18 to 10-7-18. Executive Director Shorey advised both Carl Page and Robert Montgomery have provided written responses to the situation that were provided to Board members. G4S's previously violation history was discussed along with the fact that they are currently on probation and there is a current stipulation offer open. Nancy Miller made a motion to incorporate an additional \$1000.00 fine into the open stipulation. Nancy Miller withdrew her motion due to lack of a second. Randy Ziegler made a motion to incorporate an additional \$5000.00 fine into the open stipulation. Mike Wetsch seconded. M/S/C. Monte advised a letter and revised stipulation should be sent to G4S. Chairman Stensrud called for a short break to be taken at 12:26 p.m. The meeting resumed at 12:44 p.m.
11. Executive Director Shorey provided a summary of the unregistered employee violation of Third Shore Investigations' employee Johnathan Moreno. Executive Director Shorey advised he had received an email from Board member Ziegler on 10-22-18 asking him to contact Johnathan Moreno as John would like some clarification on questions he had about licensing. Executive Director Shorey advised he had talked with Johnathan Moreno that day about the registration process and mailed him two fingerprint cards. Executive Director Shorey stated he told Mr. Moreno his employer (Third Shore Investigations) should be coordinating his registration in ND. Executive Director Shorey advised Mr. Moreno stated he didn't think they were because they had so much else going on. Executive Director Shorey advised he had contact with Al Schmidt, the Chief of Police of Berthold/Carpio, ND, on 10-31-18. Executive Director Shorey advised he ultimately learned law enforcement in Ward County had contact with Johnathan Moreno and that he had been providing private investigative services in ND unregistered on 10-31-18. Executive Director Shorey advised Third Shore Investigations license holder Benjamin Jordan called him on 10-31-18 to talk about the situation. Executive Director Shorey advised Mr. Jordan told him it was a good faith misunderstanding that Mr. Moreno was not registered in ND and acknowledged the mess up. Mr. Jordan had provided a written response on the matter where he admitted the violation. Mr. Jordan's written response was provided to Board members along with the Ward County Sheriff's Department Case report. Executive Director Shorey advised Mr. Moreno has since become registered as a registered investigator with Third Shore Investigations. Mike Wetsch made a motion to offer a stipulation with a \$250.00 fine. Seconded by Ernie Thurman. After discussion Mike Wetsch amended his motion to offer a stipulation with a \$500.00 fine. Ernie Thurman seconded the amended motion. M/S/C.
12. Executive Director Shorey discussed Security Trainer designations and the fact that they never expired. Executive Director Shorey advised he is running into issues that the old office staff would not require Security Trainers to update their certificates if they switched companies or left an agency and continued to be active as a Security Trainer individually. Executive Director Shorey advised he was also running into issues if an individual was registered with an agency, and the agency inactivated that individual's registration, the old office staff would keep their file active if they also held a Security Trainer designation, as the thought process was the Security Trainer designations never expire and follows the individual. Executive Director Shorey advised with some of the Security Trainer files he believed are not active he has been reaching out to their last known agency, and if the agency says they are not


active, he has been inactivating those files. Executive Director Shorey advised he was looking for some direction from the Board. Executive Director Shorey advised his suggestion was for the Board to change their policy and require Security Trainers to submit page 1 of the application form and pay the \$10.00 duplicate license fee when they change agencies or move from under an agency to acting as an individual. This way their certificates and files would be current. Ernie Thurman made a motion for the Board to change their internal policy and require Security Trainers to submit page 1 of the application form and pay the \$10.00 duplicate license fee when they change agencies or move from under an agency to an individual. Mike Westch seconded. M/S/C.

13. Executive Director Shorey spoke to the Board about the renewal process and the issues surrounding it. Executive Director Shorey advised if an employee registration of an agency doesn't renew the Board sends the license holder an email with a list of the individuals under that agency that haven't renewed. Executive Director Shorey advised often the agencies will come back and advise to inactive the individuals as they no longer work for the agency. Executive Director Shorey advised the process is ineffective and burdensome to the Board's office. Executive Director Shorey advised under the Administrative Rules (93-02-02.1-14 # 2) individuals are required to return the pocket card to the agency, and in turn the agency is to return the pocket card along with a letter and notify the Board in writing when an employee is terminated with an agency. Executive Director Shorey advised this is also an issue with transfers of registrations. Executive Director Shorey advised if the Board enforced this requirement, they would eliminate a lot of work at the end of renewal season. The Board directed Executive Director Shorey to send out notice to license holders reminding them of the requirements of 93-02-02.1-14 # 2 and that the Board will be looking at this issue more closely. Executive Director Shorey outlined the process of renewals with corporate officers and the fact that they don't need to complete a renewal application with the Board. Executive Director Shorey also noted Security Trainers need not submit a renewal form. Executive Director Shorey advised his suggestion would be to change the Board's policy to require corporate officers and security trainers to complete and submit a renewal form with no fees required. Ernie Thurman made a motion to change the Board's policy and require corporate officers and security trainers to complete and submit renewal applications with no fee. Randy Ziegler seconded. M/S/C.
14. Executive Director Shorey advised he was notified by Sanford Hospital that their security agency license holder Tim Vangerud retired at the end of July, which effectivity inactivated their security agency license. Executive Director Shorey advised Sanford Hospital wanted to know the requirements to get someone else as their license holder and become a licensed security agency again. Executive Director Shorey said upon review of Tim Vangerud's file it appeared the license Sanford Hospital held was a special one with certain conditions upon it based on the administrative rules at the time. Executive Director Shorey advised the administrative rules have since changed and it appears Sanford Hospital would be able to obtain a regular security provider and security agency license. Executive Director Shorey advised he talked to Ernie Thurman about the issue at length. Executive Director Shorey stated normal agency applications require the agency to list all owners of 10% or more and all non-licensed officers and that these individuals must apply and undergo a criminal history records check. Executive Director Shorey stated talking with Ernie Thurman they were unclear based on Sanford Hospital's structure within North Dakota on which officers would need to be listed on the agency application. There was considerable discussion and it was decided that for purposes of the corporate officers for the Sanford Security Agency License application it would be three individuals who are in the public safety office of Sanford. Ernie Thurman stated he would have the Sanford CEO write a letter designating three individuals within the public safety office as the corporate officers and designate the license holder in that letter as well.

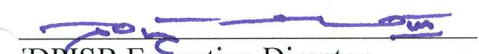
15. Executive Director Shorey provided an update on the CoventBridge Group – Unregistered employee violation. Executive Director Shorey stated he had just received the draft reprimand and would review and send it out.
16. Executive Director Shorey provided an update on the Union Colony Protective Services, Inc. unregistered employee violation. Executive Director Shorey stated both parties had signed the stipulation and they had received the \$500 fine so the matter was closed.
17. Executive Director Shorey provided an update on the G4S unregistered/denied employee violation. Executive Director Shorey stated the stipulation had been sent to them but based on Board action at this meeting a revised letter and stipulation would be sent.
18. Executive Director Shorey provided an update on the Eagle Eye Security Systems unlicensed security activity. Executive Director Shorey stated they had not received a written response from Eagle Eye Security Systems and wanted approval from the Board to have Monte send them a letter. The Board agreed to have Monte send a letter.
19. Executive Director Shorey provided an update on the Jade Presents potential unlicensed security activity. Executive Director Shorey advised Monte had received correspondence from Jade Presents' attorney. In their correspondence Jade Presents indicated they do not provide security services within North Dakota. Executive Director Shorey advised Monte and his recommendation would be that the matter is closed for now and the Board agreed. Monte advised he would notify Jade Presents' attorney that the matter was closed for now.
20. Executive Director Shorey provided an update on the Armored Knights – Trevor Millikan issue. Executive Director Shorey advised a letter and stipulation had been sent to them and he received notice that they had received it and they have until December 1<sup>st</sup> 2018 to respond.
21. Executive Director Shorey provided a summary of the Russell Security Company II, Inc. – Justin Richardson renewal application issue. Executive Director Shorey advised Russell Security had submitted a renewal application for Justin Richardson and he was currently not registered. Executive Director Shorey stated he had sent a letter to the license holder requesting a response and had not received a response back. Executive Director Shorey stated he had sent an email to their license holder and Director of Licensing on 11-23-18 and on 11-26-18 the Director of Licensing had emailed back and advised she would address the issue immediately.
22. Executive Director Shorey provided an update for the Protocol for sending CHRI to Executive Committee members for appeals. Executive Director Shorey stated Monte had told him NDPERS has a system they use and that he would be looking into that.
23. Executive Director Shorey provided a summary of the 2018 IASIR Conference. Executive Director Shorey stated he thought the conference was worthwhile for him to attend.
24. Executive Director Shorey provided an update on the Professional Licensing Board Member Orientation and Training Seminar, put on the by the ND Office of the Attorney General on October 30<sup>th</sup>. Executive Director Shorey stated he along with Nancy and Ernie had signed up to attend and had not received any follow-up information from the Attorneys General's Office. Executive Director Shorey reached out to the Attorneys Generals Office the day before and was informed of the training information at that time

and was provided PowerPoints for the training. Executive Director Shorey stated he, Nancy, and Ernie did not attend and that he had provided the PowerPoints to each Board member via email.

25. Executive Director Shorey advised a committee had been formed at the last meeting regarding the licensing exams and study guides. Executive Director Shorey advised due to the renewal season he did not send out any information to the committee and would be later. Executive Director Shorey advised a usable study guide for the security provider exam was compiled and approved by the Chairman and is currently in use.
26. Executive Director Shorey provided an update on the J-N-T Security Unregistered Employee violations. Executive Director Shorey advised Monte was unable to serve the agency with paperwork and that letters that the Board had recently sent to the agency had been returned. Executive Director Shorey advised the agency had not renewed their license or employee registrations and would be inactive after November 30<sup>th</sup> and a new application would be required. Executive Director Shorey advised he had received information that J-N-T Security is no longer operating in ND. Executive Director Shorey advised he and Monte had discussed this issue and their suggestion was for the matters to be closed and if they were to reapply address the outstanding issues at that point and the Board agreed.
27. Executive Director Shorey advised the Board had received a complaint against J-N-T Security using the state flag on their Facebook page. The Board advised to take no action based on the circumstances with the agency and to notify the complainant of same.
28. Executive Director Shorey advised there had been a special meeting held on October 18<sup>th</sup> for the Administrative Assistant position and the Executive Director position. Executive Director Shorey provided a summary of the proposal that came out of that special meeting which is documented in the special meeting minutes. Mike Wetch made a motion to move John Shorey to full time, with an average of 40 hours a week, with a salary of \$55,000 annually, retroactive to October 1<sup>st</sup> 2018. To hire back Mary Swanson on an as needed basis at \$15/hour and to establish an unpaid internship program. Randy Ziegler seconded. M/S/C.
29. The board meetings for 2019 were set for February 18<sup>th</sup>, May 20<sup>th</sup>, August 19<sup>th</sup>, and November 19<sup>th</sup> at 9:00 a.m. at the Sanford Officers Training Center in Mandan, ND. Board Member Mike Wetsch left the meeting at 2:03PM. The Board took a short break and returned.
30. A motion was made by Ernie Thurman to close the meeting for an executive session for attorney consultation concerning Advanced Security and William Gordon, B & C Security, TigerSwan update, and Leighton Security. Seconded by Randy Zeigler. A roll call vote was taken, and it was unanimous. The executive session began at 2:13 p.m. The executive session adjourned at 2:29 p.m. The public was invited back for the open session of the meeting.
31. Ernie Thurman made a motion to adjourn the meeting. Second by Randy Ziegler. M/S/C. Meeting adjourned at 2:29 p.m.

  
Chairman

3-8-19  
Date

  
JDR/ISB Executive Director

3-8-19  
Date