

**SPECIAL MEETING MINUTES OF THE  
PEACE OFFICER STANDARDS  
AND TRAINING BOARD**

**BCI CONFERENCE ROOM/CONFERENCE CALL  
BISMARCK, NORTH DAKOTA  
APRIL 1, 2015**

**Members Present**

Sarah Warner  
Jack Nybakken  
Paul Lies  
Mike Ferguson  
Scott Thorsteinson  
Steve Engen  
Chad Kaiser

**Members Absent**

Lyn James  
Dan Haugen

**Guests**

Erik Dietrich  
Renaë Gall  
Tyler Modlin  
Mike Nason

**Legal Counsel**

Ken Sorenson  
Lori Mickelson

**Administrative Staff**

Duane Stanley  
Monica Sebastian

The meeting was called to order by Chairman Mike Ferguson at 1:31 p.m. with roll call. All members were present except Lyn James and Dan Haugen. Jack Nybakken and Scott Thorsteinson were present through conference call.

**Course Approval**

At the February 18, 2015, regular meeting, Ward County sent in a Correctional Officer Basic Training curriculum to be approved. During Board discussion, this is the same course that is taught in Bismarck that the Department of Corrections utilizes. Steve Engen made a motion to table the Ward County Correctional Officer Basic Training until all information and subject matter experts were identified and provided to the Board. Chad Kaiser seconded the motion and the motion was carried.

Department of Corrections sent Ward County their Correctional Officer Basic Training curriculum and Ward County replied to Department of Corrections with their instructor listing, which are all MOI instructors or subject matter experts.

## **Motion**

Steve Engen made a motion that Ward County use the Department of Corrections curriculum and that the Basic Training curriculum Ward County submitted at the February 18, 2015, meeting be withdrawn. Paul Lies seconded the motion. All in favor, motion carried.

## **Limited License Approval**

ND Parks & Recreation Department is asking for a limited license for Tyler Modlin. Mr. Modlin's criminal history background check came back showing there had been a C Felony Aggravated Assault incident that occurred in 2008. In the paperwork reviewed by the Board, there was a court order showing a plea of guilty to a Class A Misdemeanor Assault. Mr. Modlin was present and provided the Board with the specifics of the incident along with answering questions from members. Ken Sorenson also provided input about Mr. Modlin going before the Parole Board and their recommendation which was forwarded to the Governor requesting a pardon with removal of guilt.

## **Motion**

Paul Lies made a motion to grant ND Parks and Recreation Department Tyler Modlin's limited license. Steve Engen seconded the motion. All in favor, motion carried.

## **Adverse License Action**

Josh Davis, was a new employee with the Bismarck Police Department and was subsequently stopped in Mandan and charged with DUI. Mr. Davis pled guilty to Reckless Driving and his employment with Bismarck PD was terminated. Mr. Davis's license expired on December 31, 2014. Mr. Davis was sent a complaint and hearing notice. Mr. Davis did not respond to the letter and is considered in default.

## **Motion**

Chad Kaiser made a motion for an order for adverse action acknowledging default be drafted on Mr. Davis. Sarah Warner seconded the motion. All in favor, motion carried.

Chairman Ferguson explained to the Board that the next two items on the agenda were to be discussed in executive session. Chairman Ferguson provided the authority for going into executive session by citing N.D.C.C. § 44-04-19.1 and 44-04-19.2. Chad Kaiser made a motion to move to executive session for attorney consultation with the Board's legal counsel on pending adversarial administrative proceedings. Paul Lies seconded the motion. All in favor, motion carried. Present at the executive session were Mike Ferguson, Steve Engen, Scott Thorsteinson, Chad Kaiser, Sarah Warner, Jack Nybaken, Paul Lies, Ken Sorenson, Lori Mickelson, Duane Stanley, and Monica Sebastian.

**EXECUTIVE SESSION BEGINS AT 1:43 p.m.**

**EXECUTIVE SESSION ENDS AT 2:20 p.m.**

Chairman Ferguson adjourned the meeting at 2:20 p.m.