

**MINUTES OF THE  
PEACE OFFICER STANDARDS  
AND TRAINING BOARD  
LETA  
BISMARCK, NORTH DAKOTA  
August 21, 2024**

**MEMBERS PRESENT**

Jesse Jahner (Teams then in-person)  
Adrian Martinez  
Joe Cianni  
Erik Dietrich  
Roger Hutchinson  
Travis Stefonowicz  
Matt Odermann

**MEMBERS ABSENT**

Steve Armstrong  
Lyn James

**LEGAL COUNSEL**

Lori Mickelson

**GUESTS**

Rachel Sinness	Attorney General's Office-BSC
Amber Johnson	BSC PD
Kaylyn Bondy	BSC VPSA
Mike Frye	BSC PD Chief
Kyle Kirchmeier	Morton Co Sheriff
Roger McClellan	Dunn Co SO
Gary Kuhn	Dunn Co Sheriff
Kenneth Finlayson	Dickinson PD
Matt Hanson	Dickinson PD Deputy Chief

**ADMINISTRATIVE STAFF**

Pat Helfrich	Executive Secretary
Jessica Linder	Administrative Officer

## **MEETING CALLE TO ORDER**

Chairman Joe Cianni called the meeting to order at 11:00 a.m. Secretary Helfrich took the roll. members Armstrong and James were absent. It should be noted that member Jahner appeared via Teams for approximately 30 minutes and then appeared in-person. There were other individuals present as guests online through the Teams platform or call in.

## **OLD BUSINESS**

Executive Secretary Helfrich notified board the POST Board audit was being conducted by the state auditor's office and was almost complete.

administrative review for legislative and administrative board review: sub-committee formed. Members Martinez, Stefonowicz, and Hutchinson volunteered.

Increase fee for license renewal.

Change in reserve officer hours. Sheriff Jahner requested that the limit be annually Instead of monthly. This would alleviate the issue with hours during fairs, etc.

Psychological waiver in the application (PFN1 or 2)

Unfit for duty (psychological must be cleared by original Dr. or POST approved Psychological provider

Online training hours increased from 20.

Anthology update from members Stefonowicz and Martinez. Board informed that cost for Anthology would be \$30,000 per year. Recommended that cost be brought to legislation as training increase to be paid by legislation, even with fee increases. Anthology is not only a RMS and LMS for LETA and POST, but a RMS for all agencies in ND to benefit them in managing training and employees.

## **MOTION**

Member Odermann made a motion to move forward with the purchase of the add on to the NDHP Anthology paying the initial 2 years out of POST funds. Member Martinez seconded the motion. All in favor motion passed.

## **NEW BUSINESS**

### **POST Board accepting credit card payments**

Executive Secretary Helfrich advised the board that POST could now accept credit card payments using QuickBooks. Administrative Officer Linder explained to the board how it would work, and the service fees would be added to the invoice.

**Amber Johnson-BSC-Waiver for Reciprocity/waiver for 2025 Basic**

Amber Johnson appeared to the POST board requesting the reciprocity for the basic academy. Amber has been out of law enforcement for over 3 years. Amber answered questions from the board and presented her arguments for the reciprocity.

**MOTION**

Member Odermann made a motion to deny the reciprocity waiver. Motion seconded by member Jahner. All in favor motion passed.

Amber and Kaylyn Bondy requested Amber to attend the 2025 basic instead of the fall basic. Kaylyn Bondy from BSC stated that there is hardship for the BSC police as they are starting over. They have hired a new chief who will need the reciprocity and the other officer will be graduating on Friday 8/23/24 at LETA. Amber stated there is an additional hardship to her both for her second job and a family hardship.

**MOTION**

Member Jahner made a motion to deny the 2025 basic waiver. Motion seconded by member Odermann. All in favor motion passed.

**Zackary Aguon-Morton County MOI waiver**

Sheriff Kirchmeier appeared in front of the POST board requesting the MOI renewal waiver for Zackary Aguon. Zackary Aguon has been out on medical leave for cancer and was unable to take the MOI and firearms instructor refreshers and his instructor licenses expired.

**MOTION**

Member Dietrich made a motion to grant Aguon to take the refreshers versus retaking the courses in full again. Motion seconded by member Jahner. All in favor motion passed.

**Adverse License Action on Roger D. McClellan**

Roger McClellan and Sheriff Kuhn appeared before the POST Board. Roger McClellan was served a complaint. Roger McClellan plead guilty to a DUI in the City of Dickinson. AAG Lori Mickelson and the board asked questions to Roger who was sworn in by Chairman Cianni.

**MOTION**

Member Jahner made a motion that McClellan violated the code of conduct. Motion seconded by member Hutchinson. All in favor motion passed. (Chairman Cianni excused himself from voting).

Member Jahner made a motion to begin adverse action on McClellan's peace officer license. Motion seconded by member Martinez. All in favor motion passed.

Member Odermann made a motion for McClellan's peace officer license to be suspended retroactive to his suspension from Dunn County, probation to concurrent to his criminal judgement and not to violate any criminal laws for that year. Motion seconded by member Martinez. All in favor motion passed.

### **Adverse License Action-Kenneth Finlayson**

Kenneth Finlayson and Deputy Chief Hanson appeared before the POST Board. Kenneth Finlayson plead guilty to a reckless driving on May 2 in Stark County district court. AAG Lori Mickelson and board members asked Finlayson questions after he was sworn in by Chairman Cianni. It should be noted that Chairman Cianni recused himself from voting.

### **MOTION**

Member Jahner made a motion that Finlayson violated the code of conduct, seconded by member Dietrich. All in favor motion passed.

Member Jahner mad a motion to begin adverse action on Finlayson's peace officer license, and motion seconded by member Dietrich. All in favor motion passed.

Member Jahner made a motion that Finlayson's license be suspended for 30 days retroactive to the suspension from the Dickinson PD. Finlayson to be placed on probation concurrent to the court order. Finlayson does not violate any criminal laws or the POST code of conduct and complete the recommended alcohol course no later than January 1, 2025, motion seconded by member Martinez. All in favor motion passed.

### **Meeting Minutes**

Minutes were reviewed from the May 8<sup>th</sup> meeting. No discussion or concerns were made chairman Cianni stated minutes stand approved as distributed.

### **Board Approval for Ratification of Licenses**

Executive Secretary Pat Helfrich advised the board of the limited licenses and reserve licenses issued from May 8<sup>th</sup> to August 14. Forty-seven initial and 6 reserve licenses.

**MOTION**

Member Hutchinson made motion to ratify the licenses, seconded by member Dietrich. All in favor motion passed.

**Financial Report**

Executive Secretary Helfrich previously sent the financial statements and Chairman Cianni asked for any discussion.

**MOTION**

Member Odermann made a motion to accept the financial reports. Motion seconded by member Jahner. All in favor motion passed.

**Items from Members**

Adrian Martinez spoke to board members about moving some of the TPO's to create more time for hands on based training. Member Dietrich asked about a special meeting to give the board members time to fully review the changes to the current TPO's. Chairman Cianni asked the board to have a special meeting that the board could all join via Teams. September 11<sup>th</sup> 1:30 PM.

Member Stefonowicz requested a sub-committee to review the TPO's. It was decided to table this until the November meeting as we are losing members Jahner and Dietrich.

Executive secretary Helfrich advised the board of the email from the attorney for the psychological board and from the POST board attorneys, recommending that Dr. Knowlton be licensed in ND before being a POST approved psychologist.

Member Jahner and Dietrich offered their thanks for being on the POST Board.

Chairman Cianni requested that the Board use funds to purchase a plaque for thanks for their service to the POST Board. Member Stefonowicz will investigate cost and will notify the board at the next board meeting.

Secretary Helfrich advised the Board about the Professional licensing board seminar.

**MEETING ADJOURNMENT**

Chairman Cianni adjourned meeting at 3:00 PM.