

**MINUTES OF THE
PEACE OFFICER STANDARDS
AND TRAINING BOARD
QUALITY INN
BISMARCK, NORTH DAKOTA
NOVEMBER 8, 2023**

MEMBERS PRESENT

Jesse Jahner
Adrian Martinez via Teams
Joe Cianni
Steve Armstrong
Erik Dietrich
Lyn James
Matt Odermann via Teams
Roger Hutchinson via Teams
Travis Stefonowicz

GUESTS

Chris Redmann
Victoria Rootes via Teams
Jason Kraft
Max Matthews-Kasner
Mike Nason
Paul Olthoff
Robert Roed

ADMINISTRATIVE STAFF

Pat Helfrich
Jessica Linder

MEMBERS ABSENT

LEGAL COUNSEL

Lori Mickelson
Megan Carmichael

Chairman Joe Cianni called the meeting to order at 1:05 p.m. Pat Helfrich took the roll. All members were present. It should be noted that Matt Oderman, Adrian Martinez, and Roger Hutchinson appeared through the Teams platform. There were other individuals present as guests online through the Teams platform or call in.

POST Board Hearing – Victoria Rootes

Executive Secretary Pat Helfrich provided documentation of the case to board members prior to the hearing. Chairman Cianni opened the hearing on Victoria Rootes. Rootes was present via Teams. Victoria's attorney Chris Redmann was present. Chairman Cianni provided an overview of the Victoria Rootes internal investigation. Victoria Rootes was internally investigated for testing positive for marijuana on a random drug screening. Rootes was present at the hearing via Teams, with an attorney and answered questions from POST legal counsel Megan Carmichael and POST board members. It should be noted that Victoria Rootes was terminated by her employer after the incident.

Motion

Jesse Jahner made the motion that Victoria Rootes did violate the Officer Code of Conduct specifically 109-02-05-01(4b) and that Rootes's conduct has a direct bearing on her ability to perform peace officer duties. Steve Armstrong seconded the motion. All in favor motion carried.

Motion

Jesse Jahner made a motion to start adverse action in accordance with NDCC 12-63-12. Lyn James seconded the motion. All in favor, motion carried.

There was discussion by board members regarding a possible sanction of Rootes's Peace Officer License. Board members initially discussed suspension followed by discussion on revocation and probation. The board stated they did not know of any other incident like this before.

Motion

Jesse Jahner made a motion to place Rootes on probation for 1 year from the date of the incident April 8, 2023, through April 8, 2024, and that Rootes have no violations for the one year. Travis Stefonowicz seconded the motion. 8 yes and 1 no, motion carried.

OLD BUSINESS

FITNESS FOR DUTY

Executive Secretary Helfrich advised the board that Eric Romero signed the stipulation letter former Executive Secretary Stanley sent to him on his fitness for duty.

Executive Secretary Helfrich advised board that the remaining fitness for duty issue, is in hiatus as the person is on inactive status and HIPAA rules restrict any further investigation into the case.

The board was informed by legal counsel that a law change would be necessary, and it would have to be at the 2025 legislative session. legal counsel advised that departments could have a waiver signed by the employee giving authorization to obtain the necessary documentation.

Executive Secretary Helfrich suggested that a waiver form be created and placed on the POST website for agencies to use to avoid HIPAA issues in any further fit for duty investigations.

NEW BUSINESS

Ward County SO Reserve Peace Officer Program

Jason Kraft from Ward County SO. Presented to the board. Executive Secretary Helfrich advised the board that the information for the course was in the attachments emailed to the board prior to the meeting. Jason Kraft advised the board that the course submitted followed the guidelines the board approved in the August 5th special meeting.

Discussion was made on sharing the course outside of Ward County and Jason Kraft advised that they want to keep the course in-house to make sure all the kinks are worked out. Jason stated that they want the first class in the spring of 2024.

Motion

Jesse Jahner made a motion to approve the Reserve peace officer course. Steve Armstrong seconded the motion. All in favor, motion carried.

Minot State University to teach Ward County Correctional Course.

Mike Nason from the Minot State University and Paul Olthoff from the Ward County Correctional Center asked the POST board if Minot State University could teach the already POST approved Ward County Correctional Officer Basic. Mike Nason stated, Minot State University would be able to offer housing during the course and some of the requirements for the course would have to take place at the Ward County Correctional Center, however all the classroom stuff would be at the university. Biographies of the teachers would be sent to Executive Secretary Helfrich.

Motion

Jesse Jahner made a motion to approve Minot State University to teach Ward County Correctional Officers Basic Course. Lyn James seconded the motion. All in favor, Motion carried.

License Renewal Waiver for Sean Brekke

Executive Secretary advised the board of the license renewal waiver. Executive Secretary Helfrich advised the board of the license renewal waiver emailed to the members. Sean Brekke is in the National Guard and was activated on 9/14/23. Sean will be short on training hours due to his deployment. The request is to waive the needed hours and allow Brekke to renew his peace officer license.

Motion

Lyn James made a motion to waive the license requirement of training and renew Brekke's peace officer license. Travis Stefonowicz seconded the motion. Jesse Jahner abstained voting as Brekke is with his agency. All others in favor, motion carried.

QuickBooks

Executive Secretary Helfrich advised the board that the current financial software QuickBooks being used has expired. The board was advised that QuickBooks no longer offers a desktop version and went to online only. Executive Secretary Helfrich explained that currently only one user can be logged in at a time and if the program crashes support is no longer offered. Executive Helfrich asked for board approval to begin using the online version and advised that the cost would be \$60 per month.

Motion

Steve Armstrong makes a motion to purchase the online version of QuickBooks. Jesse Jahner seconded the motion. All in favor, motion carried. It should be noted that Adrian Martinez signed out of the meeting prior to the vote.

Meeting Minutes

Minutes were reviewed from the August 23, 2023, regular meeting.

Motion

Chairman Joe Cianni asked if there were any additions or corrections. Hearing none, the Chairman stated the minutes stand approved as distributed.

Board Approval for Ratification of Licenses

Executive Secretary Pat Helfrich relayed that the office had issued a total of 45 licenses issues between August 23, 2023, to October 31, 2023.

Motion

Lyn James made a motion to ratify the licenses that had been issued by the POST Board Office. Jesse Jahner seconded the motion. All in favor, motion carried.

Budget

Executive Secretary Helfrich asked the board if there were any questions about the budget that was emailed to the members prior to the meeting. Executive Secretary Helfrich advised that the audit category was removed as the POST board no longer needs an audit and only a financial report to be sent in due to legislative changes.

Motion

Steve Armstrong made a motion to approve the budget. Erik Dietrich seconded the motion. All in favor, motion carried.

Financial Report

Executive Secretary Helfrich asked the board if there were any questions on the emailed overview of the financial activity that occurred from August 23, 2023, through October 31, 2023.

No questions were asked.

Retired Peace Officer

Executive Secretary Helfrich advised the board of several people wanting to know about a waiver if they are retired and asked to come back. Secretary Helfrich advised the board that he was asked about retired peace officers who are asked to come back to serve, and their license has expired for over 1 year. According to POST rules they must take the full Academy. The request is if the board can waive that so they would only have to attend the criminal and traffic portion.

Discussion was decided that this should be addressed later.

Credit Card for POST

Executive Secretary Helfrich requested approval for a credit card for travel and office expenses. Board members sanctioned a credit card.

2024 POST Board Meeting Dates

The Board members discussed and approved starting the Board meetings at 11:00 AM versus 1:00 PM for travel reasons for Board members. The 2024 Dates chosen are:

February 7, 2024, 11:00 AM

May 8, 2024, 11:00 AM

August 21, 2024, 11:00 AM

November 13, 2024, 11:00 AM

Minutes of the Meetings from August 23

Chairman Cianni asked if any member had questions regarding the minutes of the August 23 meeting. Administrative Officer Linder advised she made some grammatical changes and emailed the newer version to all the members.

Chairman Cianni approves the minutes of the August 23rd meeting as presented.

At 3:35 PM Steve Armstrong makes motion to adjourn. Jesse Jahner seconded the motion. Meeting adjourned.