

# North Dakota State Electrical Board Minutes

March 20, 2024, Meeting

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by President Rodney Mayer at the Electrical Board office at 1929 N. Washington St., Ste A-1, Bismarck, North Dakota. Members Present: Rodney Mayer, Paul Durbin, Gerald “Poke” Buck, James “Jim” Brandenburg, and Christina Roemmich. Also Present: James Schmidt, Executive Director; Scott Porsborg, Special Assistant Attorney General; Anna Heinen; and Ed Christian, NECA.

(Victor Wardle and wife Charolette enter)

Schmidt added six agenda items: NDSCS Meeting; Well Drillers Convention; Ottertail Power; Nathan Morgenstern; May 15 Board Meeting; and Jersey Mikes in Williston.

Buck moved to approve the consent agenda. Roemmich seconded. The motion passed unanimously.

Victor Wardle (present) - Schmidt gave the Board a brief overview of Wardle’s application and reason for appearing before the Board. Wardle tells the Board a little about himself and his work in South Africa and Florida. Wardle states South Africa uses the European model (UK system) for electrical code. Wardle is still licensed in Florida currently. He has been licensed in Florida for 10 years. Schmidt explains that Wardle’s application wasn’t denied; it was returned for more information. (Wardle had mailed documentation to the Board. The Board reviewed Wardle’s documentation). Schmidt verifies that Wardle is a US Citizen. Durbin asks what brings Vic to ND. He stated his wife is from here. Wardle is currently working for a siding company part-time. He wants his electrical license to be self-employed and to do work on his own time.

Mayer asks if the Board is willing to offer Wardle a placement exam. Roemmich supports the exam route. Schmidt asks Mr. Porsborg about the self-certification from Vic and if the Board can allow the placement exam. Mayer explains the placement process to Wardle. Mayer asks for a Motion to allow Wardle to take the Placement Exam. Roemmich makes the Motion, Brandenburg seconds. The motion passed unanimously.

(Victor Wardle and Charolette leave)

Director of Inspection Reports - Doug Grinde updates the Board on incoming certs. Doug updated the Board on final numbers for 2023. This year, the numbers are down currently for incoming certs but average out with the last two years. Doug states they are catching up on certs that are ready for inspections. Currently 8,201 active certs. District 1 and District 9 are low for cert numbers and those inspectors are helping in other Districts.

Inspector - NDSEB put out an ad for another Inspector in the area of Williams, Mountrail and McKenzie Counties which closed March 15th.

Scott Halle updates the Board on continuing education classes. Scott states that locations are hard to find to hold these classes but keeping the same schedule as last year. Scott asked the inspectors

to send him common code violations to review at the classes and how to address these. Held the IEI meeting with 125 people in attendance in Mandan. Spoke on his attendance at the NDSCS meeting.

Jon Sayler updates the Board on Marketplace for Kids in Williston- it was canceled due to weather. They did hold one in Dickinson and two more scheduled this year. Jon talks about SKID correction responsibilities – 90 manufacturers on file. Jon makes contact with these companies- most corrections are just fee related. Schmidt talks to the Board about SKID corrections and how hard they are to follow up on. Schmidt talks about the decision to close out fee related corrections before 2019. Buck asked what dollar range this would be. Schmidt stated there are several reports in this range and said the fees vary per SKID. Mayer asks why these UL stamps aren't flagged for these companies- discussion held between Board and Inspectors.

Brandenburg talks about his discussions with Kendrick re Exxon and electrocutions.

Education Committee - Schmidt discusses Education Committee Meeting with the Board. Schmidt talks about scholarship funds and refunding for-profit companies who offer in-house classes. Discussions were held regarding for-profit and non-profit companies and who gets money from the NDSEB Scholarship fund. Roemmich asks how to get the money directly to the apprenticeship student and to not go through the businesses.

(Clay Nagel enters meeting)

(William Paul and Austin Lafferty enter meeting)

Buck, Brandenburg, Durbin, and Roemmich would approve changes to the policy limiting scholarship funds to non-profit entities. Buck made a Motion to approve changes to the policy for scholarships. Durbin seconds. Motion passes unanimously.

Schmidt talks about Education Committee appointments and all three agreed to their reappointment. Roemmich makes a Motion to reappoint the committee. Brandenburg seconds. Motion passes unanimously. Those appointments are as follows; Power limited – Vance Vesey to expire 12-31-26, Related Training – Adam Kidwell & Jeff Kirstein both to expire 12-31-26, On Campus Rep – Robert Zachariason to expire 12-31-25.

William Paul (present) - Schmidt updates Board on Paul and his formal proceedings. (Board reviews ALJ Dawson's decision.) Schmidt states that Mr. Lafferty is here to advise the Board regarding the ALJ Decision. Mr. Lafferty discusses the decision with the Board and advises the Board of its options. Schmidt asks Lafferty to explain paragraph 7 on page 9 of the ALJ Decision to the Board. Lafferty gives the Board its options: Accept the ALJ Decision or Amend the ALJ Decision. Brandenburg makes a Motion to Adopt the ALJ Recommended Findings or Fact, Conclusions of Law, and Recommended Order. Buck seconded. Motion passes unanimously.

(Austin Lafferty leaves meeting)

Mayer requests the Board grant Paul the right to apply for his Journeyman's Electrician License. Mayer states that Paul should work under a Master electrician and apply for his Masters license at a later date. Porsborg states that the Board can set the parameters. Schmidt states that Paul's Journeyman's has expired so discussion was held regarding how to go about getting Paul his Journeyman's license again. Durbin asks about all the unfinished corrections and continuing ed be completed.

(Paula Glass enters meeting)

Glass explains Paul's continuing ed received by the office. Schmidt states that 8 hours of continuing ed still needed to be completed. Glass states that corrections have been made but wiring certs for certain jobs have not been submitted. Schmidt asks if there are any other jobs that do not have wiring certificates submitted – Paul mentions a cabin on Cottonwood Lake. Schmidt asks for the Board's ideas on how to get certificates entered for Paul. Wiring certs needed: Crawford residence, Brian Paul, Merchant Bank, and a cabin. Schmidt states that Paul needs to line up a Master electrician/Contractor to cert these jobs and finish the work, and we will follow-up with Paul on May 15<sup>th</sup> board meeting. Porsborg states that the Board will vote in May to reinstate Paul's Journeyman's License if he completes the items requested by the Board, namely, to complete his continuing education and hire a master electrician to complete the job's identified at the Board meeting.

(William Paul leaves meeting)

Dustin Desjarlais - Schmidt stated that Desjarlais has not had contact with the Board and has not followed through with the steps the Board requested that he complete at the January 2024 board meeting. Mayer asks the Board for their thoughts. Glass talks to the Board about 7 outstanding jobs that are incomplete. Roemmich made a Motion to go formal on Desjarlais to revoke his Master's Electricians License. Brandenburg seconds. Motion passed unanimously.

NDSEB took a recess at 10:55am.

NDSEB reconvened at 11:21am.

Jersey Mikes - Schmidt explains circumstances with Jersey Mikes in regard to the strip mall in Williston.

NDSCS Advisory Board Meeting / NDSCS Job Fair - Schmidt reported on the advisory board meeting he and the Training Director attended and the presentation to 142 electrical students. Approximately two-thirds already had jobs lined up. A job fair was the following day. Schmidt spoke with numerous businesses that were looking for electricians.

Well Drillers Annual Convention - Schmidt was asked to speak at the well drillers' convention. They were inquiring about how much electrical work they can do without an electrician being involved. Schmidt told them to coordinate with a local electrician to be available at the site. The well drillers can make the connection to a submersible pump before installation, but an electrician must do all final connections.

Otter Tail Power Company - Schmidt reported to the Board of inspector Josh Dahl findings of projects where wiring certificates that have not been issued but sites were energized by Ottertail employees. Schmidt talked about his visits with three of the Otter Tail offices to their employees and upper management on this issue and answered various questions.

Rural Utilities - A question arose from various all power company (utility) regarding disconnecting a meter and if it can be re-energized without a wiring certificate (cert). The question was, is there a timeframe where a cert would not be needed in this situation. Schmidt questioned whether a cert needs to be issued for a meter to get re-energized in certain situations. He also spoke about power utilities that can shut off power at their meters and reconnect power remotely. Mr. Porsborg stated that any legal concerns are on the power company rather than on the NDSEB in light of the electrical laws. Mr. Porsborg talks about the NDSEB law and how it can be interpreted. The Board discusses and tells Schmidt to let the company know that if a meter had an original wiring certificate at one time they can re-energize without a cert as long as the power company gets the landowner to confirm that no alterations were made to their electrical service before re-energizing.

Nathan Morgenstern - NDSEB received an Apprentice Renewal Application and Schmidt wants the Board to review and advise. (Board reviews legal record of Morgenstern.) Morgenstern is currently working for Magnum. Roemmich makes a Motion to renew Morgenstern's apprenticeship license. Durbin seconds. Motion passes unanimously.

NDSEB talks about rescheduling the May 15<sup>th</sup> Meeting due to a board member having a scheduling conflict. Board agrees to continue the meeting as is with her appearing by phone for the Labor Commissioner portion of the meeting.

Exam Waiting Period - Schmidt gave the Board a brief follow-up of the Education Committee's recommendation regarding the waiting period after a failed exam. Brandenburg likes the change that there is no waiting for a score within 60-69. Durbin made a Motion to adopt the Education Committee's recommended exam waiting periods (60-69 no wait, 50-59 wait 3 months, 49 and below wait 6 months). Buck seconds. Motion passes unanimously.

Inspectors - NDSEB received three applicants for the Inspector position that was listed. Schmidt would like to have a couple Board members agree to interview the applicants. Mayer and Brandenburg agree to be available for interviews.

Amos Madhombiro - Schmidt gave a follow-up to his conversation with Amos. Amos will reapply when he gets citizenship.

Administrative Rules - Schmidt updated the Board on the status of the rules with the Attorney General's office, which was sent to them on 02-07-24 with no response yet.

Labor Commissioner - Schmidt discussed the monthly meetings and discussions with the labor commissioners committee and labor commissioner Nathan Svihovec. Schmidt states that the Commissioner will be attending the May 15<sup>th</sup> meeting with the Board.

Reciprocity - Arkansas Journeyman reciprocity agreement is back in place. Schmidt has reached out to the state of Michigan, Vermont, Oklahoma, and New Mexico also for reciprocity for journeyman electricians.

Class B License - There are currently 14 Class B contractors. Schmidt states that as a Class B license holder you need to be in contracting status. Mr. Porsborg agrees. Board discusses phasing out Class B status.

Kaleb Witt - Schmidt discusses Witt's appeal of the Board's decision to deny his apprenticeship. Witt hasn't responded to communications since.

Bailey Redwing - Schmidt discusses Redwing's apprenticeship application. The board discusses Redwing's lack of employer and past legal issues. The board requested more information on his current employer and his Idaho felonies.

NDSEB took a recess at 12:55pm.

NDSEB reconvened at 1:01pm.

City of Minot - Schmidt reports on correspondence with the City of Minot and the NSDEB's overview of their city's electrical work. Schmidt asked the City Manager to appear at the Board meeting to review the inspection process within the City of Minot. He was unavailable for the March 20<sup>th</sup> and the May 15<sup>th</sup> board meetings. The Board discussed whether the NDSEB needs to provide additional services to the City of Minot that it doesn't provide to other cities in ND. NDSEB will reach out to Minot to re-invite the city manager to the July board meeting.

Inspector Retire - Inspector Tom Crawford would like to retire and asked that the Board pay his COBRA through the end of one year. Roemmich made a Motion to approve COBRA insurance for Tom for a year following his retirement. Brandenburg seconded. The Motion passes unanimously.

24-25 Budget - Schmidt discusses the proposed 24-25 budget/wages with the Board. The board discusses if potentially being short staffed, Schmidt is authorized to start hiring now. Brandenburg makes a Motion to approve proposed 24-25 budget/wages as provided. Buck seconds. Motion passes unanimously.

(Ed Christenson leaves meeting)

Reporting System - Schmidt reached out to various reporting systems providers. Emails with Salesforce and IMS were talked about. NDSEB has a scope of the parameters and is just looking for the lowest bid.

Mayer states the next Board meeting is May 15th. Buck makes a Motion to adjourn. Durbin seconded. Motion passed unanimously.

The Board adjourned at 2:12 p.m.

Date \_\_\_\_\_

Date \_\_\_\_\_

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Rodney Mayer, President

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Paul Durbin, Secretary