

NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES

Wednesday, October 5, 2016

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by President Rodney Mayer at the office of the North Dakota State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, N.D. Members present: Ben Koppelman, Kyle Miller, Tom Paulson and Brad Sylliaasen. Also present: James Schmidt, Executive Director; Ashley Windhorst, Administrative Assistant; and Cody Serr, IBEW 714.

President Mayer asked for further Agenda items to appear at this meeting. James Schmidt indicated to add Board policy questions, NEC books, scheduling Tim McClintock (NFPA), and Trinity Schaff will not be appearing. There being no further Agenda items, it was motioned by Kyle Miller and seconded by Tom Paulson that the Agenda be approved as amended. Motion carried.

President Mayer asked for any comments on the Consent Agenda items. Motioned by Tom Paulson and seconded by Brad Sylliaasen to approve the Consent Agenda items. Motion carried.

Mr. Schmidt discussed NERA meeting updates with the Board. Wisconsin was voted into the group at the August, 2016 meeting. Discussion was had about exam question banks.

Mr. Schmidt informed the Board 325 2017 NEC code books were purchased. Selling price will be \$85 or \$86, dependent upon what the tax department says about sales tax on the books being sold.

Mr. Schmidt asked if the Board would like to schedule Tim McClintock with NFPA to discuss and review the code changes. Board decided to check Mr. McClintock's availability for November and if a special meeting is needed they will hold one.

At 9:00 a.m., Paula Glass, Office Manager; Scott Porsborg, Special Assistant Attorney General; Chad Lemar, City of Fargo Inspector, and Terry Packer entered the meeting.

Terry Packer is applying to take the North Dakota Master exam. Mr. Packer's North Dakota Journeyman's license was revoked on December 18, 2013. Mr. Packer would like to at least get his Journeyman license back if not approved for the Master exam as he's been out of the field for three years now and really wants to get back to working in the field. Mr. Packer explained why he didn't show up to the last meeting he was invited to. The Board discussed the amount of money expended due to this situation and why his Journeyman license was revoked. Motioned by Ben Koppelman and seconded by Tom Paulson to enter into Executive Session. Motion carried.

At 9:15 a.m., Terry Packer, Cody Serr, and Chad Lemar left the meeting. The Board entered Executive Session.

At 9:47 a.m., it was motioned by Ben Koppelman and seconded by Tom Paulson to exit Executive Session. Terry Packer, Cody Serr, Chad Lemar, and Troy Richardt entered the meeting.

Board denied Mr. Packer to take the Master exam. Mr. Packer asked if he can get his Journeyman's license back. Mr. Packer explained he couldn't correct the jobs as he said he would because his employer wouldn't provide the funds for him to do so. He also indicated he's more than willing to test to get his Journeyman license back. Motioned by Ben Koppelman for Mr. Packer to work as an apprentice for one (1) year/ 2,000 hours, repay the Undertaking \$2,908.39 for certificate fees, take the Journeyman placement exam, and if he passes the placement exam, he can then take the North Dakota Journeyman exam. An agreement would also need to be signed. Motion died due to lack of a second. Mr. Mayer asked Mr. Packer why his license didn't matter three years ago and now he suddenly wants the Board to just give it back. Motioned by Brad Sylliaasen and seconded by Ben Koppelman for Mr. Packer to work as an apprentice for two (2) years, pay back the \$2,908.39 for certificate fees, take the Journeyman placement exam, and if he passes the placement exam, he can then take the North Dakota Journeyman exam. Further discussion, Tom Paulson told Mr. Packer he really should've come forward back in 2013 versus just not showing up. Mr. Packer asked why he needs to work for two years to gain knowledge or what? Ben Koppelman explained there's really no redemption once your license has been formally revoked, so the Board is trying to find or create a path for him to get his license back. Motion carried.

At 10:10 a.m., Terry Packer left the meeting, and the Board recessed for a short break.

At 10:15 a.m., the Board reconvened, and Joshua Martinez and Cole Hooper entered the meeting.

Troy Richardt appeared to request that his Master license be reinstated. Funds were taken out of the Undertaking Fund to clean-up one outstanding correction. Motioned by Tom Paulson and seconded by Brad Sylliaasen to allow Mr. Richardt's Master license to be reinstated. Upon further discussion, Tom Paulson amended his motion to allow Mr. Richardt's Master license to be reinstated and accept his check to repay the Undertaking Fund. Amended motion was seconded by Brad Sylliaasen. Motion carried 3 to 1.

At 10: 30 a.m., Troy Richardt left the meeting.

Joshua Martinez appeared to request the Board to reconsider his application to register as an Apprentice, which was denied due to a felony conviction. Mr. Martinez has worked as a supervisor for 14 months and feels like he is no threat or harm to himself or others. He's come along ways since his conviction and now stands up for what's right. Cole Hooper, Mr. Martinez's supervisor, has worked with him for three years, and said he's always spot on and the company has really turned around since he started as a manager. Mr. Martinez explained he's done electrical and automation work in New Mexico since 1998. He would like to get registered as an apprentice so he can eventually take the Journeyman exam.

Motioned by Tom Paulson and seconded by Brad Sylliaasen to allow Mr. Martinez to become registered as a North Dakota Apprentice. Motion carried.

At 10:50 a.m., Joshua Martinez and Cole Hooper left the meeting, and Jason Steidl entered.

Board discussed the special fund. Leftover funds will be transferred and used for education. More discussion was had on individuals repaying the Undertaking Fund which no longer exists.

Mr. Schmidt announced Preston Wise, Special Assistant Attorney General, was appointed on August 2, 2016.

Jason Steidl appeared wanting to test for his North Dakota Master license, which was revoked in 2003, at which time he owed the Undertaking Fund \$354.16. Mr. Steidl explained he had closed his business and moved to Arizona, and after moving he received a correction report and failed to come back and make the corrections. He indicates no excuses, but would really like to get his Master license again. Motioned by Ben Koppelman and seconded by Brad Sylliaasen to have Mr. Steidl pay \$400.00 back to the Undertaking Fund and then he would be allowed to take the Master exam. Motion carried.

At 11:05 a.m., Jason Steidl left the meeting, and Doug Grinde, Director of Inspections, entered the meeting.

Chad Lemar, City of Fargo Inspector, appeared to discuss the Trinity Schaff situation and low-voltage licensing. Mr. Schaff postponed his appearance until the next Board meeting.

Mr. Schmidt discussed workload of inspectors. He stated that we are continuing to see a drop in certificate numbers and need to look at a reduction in force. Two inspectors are close to retirement; therefore, a discussion was had about buying out Al Schrader and Jerry Brackin for early retirement versus having to lay people off to reduce force.

At 12:00 p.m. the Board recessed for a break.

At 12:15 p.m., the Board reconvened.

Discussion was had on a public hearing date for administrative rule proposals. It was decided to hold the public hearing on November 15, 2016 at 9:00 a.m. at the Board's office. Tim McClintock (NFPA) will review code updates and changes with the Board after the hearing.

Doug Grinde went thru district reports with the Board. Incoming certificate numbers continue to drop. Outgoing certificate numbers were lower in September as the roaming inspector, Mark Moderow, was working on rogue certificates. Board reviewed a productivity chart for inspections, along with active certificate reports.

After hearing the reports from the Director of Inspections, the Board resumed their discussion on early retirement buyouts. Motioned by Tom Paulson and seconded by Brad Sylliaasen to offer early buyout options to Al Schrader and Jerry Brackin. Further discussion commenced on only buying out one at this time. Motion carried 3 to 1.

At 1:20 p.m., the Board recessed for a break, and Doug Grinde left the meeting.

At 1:25 p.m., the Board reconvened.

Discussion took place on accepting credit cards for certificate fees and getting rid of the deposit account option for e-Cert payments, and then the only payment options would be ACH or credit card. Board discussed tabling this item until the next meeting to determine who other state agencies use for handling credit cards. Motioned by Ben Koppelman and seconded by Brad Sylliaasen to start taking credit cards and not charge an extra fee at this time, but to find out who other state agencies use. Motion carried.

Scott Porsborg, Special Assistant Attorney General, reviewed the current wiring standards explaining that Title 24 is the Electrical Boards' title and currently everything is included in 24-02. The new rules are broken out into more articles and chapters. Motioned by Kyle Miller and seconded by Ben Koppelman to approve the amended Laws, Rules, and Wiring Standards. Motion carried.

The Board reviewed Joshua Shipley's email request for Board policies to be posted and discussed exam reviews. It was decided that Mr. Shipley can attend the next Board meeting if he has further concerns.

Discussion was had about whether or not to pursue the Davenport Group any further. Scott Porsborg, Special Assistant Attorney General, will place a call to the Davenport Group and proceed from there.

The Board discussed using Joel Aslakson to upgrade the current reporting system and developing a contract for him to do so. Motioned by Ben Koppelman and seconded by Brad Sylliaasen to approve a \$120,000 budget for a new system, have Mr. Porsborg draft a contract and have ITD review it. Motion carried.

Paula Glass gave an update on rogue contractors. There are about six (6) rogue contractors left, and approximately 15 expired contractors remain with outstanding issues. Those contractors and property owners will be sent a letter to hire a North Dakota contractor to fix the outstanding corrections, and if no compliance, power could be disconnected.

At 3:10 p.m., Scott Porsborg, Special Assistant Attorney General, and Paula Glass left the meeting, and Scott Halle entered the meeting.

Scott Halle updated the Board on the 2016 classes. Eight classes are complete and there are eight more to go. Scott is continuing to evaluate CEU classes for approval, which will probably be picking up with the code change. Scott is researching apprenticeship training

programs to determine a minimum standard for electrical programs. Mr. Schmidt explained that there isn't a minimum standard currently for apprenticeship training. Scott is answering code questions from contractors and inspectors. He is also working on different topics and ideas for CEU classes.

At 3:25 p.m., Scott Halle left the meeting, and Lyle Wergeland entered the meeting.

Lyle Wergeland informed the Board he continues to receive positive feedback about his outreach visits. Lyle is currently in the office one day a week. He is looking into oil producers big and small. Mr. Mayer asked Lyle to bring a list of trade shows, schools, etc. that he can present to the next Board meeting. Kyle Miller mentioned checking with the North Dakota Safety Council for a list of shows and the possibility of having a presence with them. Ben Koppelman suggested using the education fund for Lyle to provide electrical safety at trade shows that may have a charge. Lyle will present a list at the next meeting of events to attend with a cost, if any.

At 3:45 p.m., Lyle Wergeland left the meeting.

The next Board meeting will resume on November 16, 2016.

There being no further business, it was motioned by Tom Paulson and seconded by Kyle Miller to adjourn the meeting. The meeting was adjourned at 3:45 p.m.

Date

Date

Rodney Mayer, PRESIDENT

Tom Paulson, SECRETARY