

# **NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES**

Wednesday, January 23, 2019

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: Tom Paulson, Mark Christopher, Paul Durbin and Christina Roemmich. Also present: James Schmidt, Executive Director; Ashley Windhorst, Administrative Assistant; Scott Porsborg, Special Assistant Attorney General; Andrew Lafferty, Special Assistant Attorney General; and Curt Kasper, NECA.

President Mayer asked for further Agenda items to appear at this meeting. Mr. Schmidt added an apprentice registration application, an email about advertising, litigation fund, and attorney contract review. Motioned by Tom Paulson and seconded by Mark Christopher to approve the Agenda as amended. Motion carried.

Motioned by Paul Durbin and seconded by Tom Paulson to approve the Consent Agenda items. Motion carried.

Mr. Schmidt indicated District 10 Inspector, Kendrick Kjorsvik, has applied to be on a code-making panel. Kendrick has asked for the Board's support if accepted. Board discussed supporting Kendrick and fairly covering expenses to attend and participate. The Board will revisit this at the March, 2019 meeting if Kendrick is selected.

Mr. Schmidt reviewed the current workload of inspectors. The overtime assisted with decreasing certificate numbers and cleaning up old certificates. The inspectors have been back to working 40 hours a week since mid-December.

Mr. Schmidt presented Ashley Windhorst's tuition reimbursement request. Motioned by Tom Paulson and seconded by Christina Roemmich to reimburse Ashley for tuition, fees, and books at 75% after receiving a certificate of completion. Motion carried.

Mr. Schmidt reviewed the education legislation, SB 2056, which passed on the Senate floor 46-0 with 1 absent. It will now move to the House.

At 9:00 a.m., John Roeser entered the meeting.

John Roeser appeared before the Board to discuss his Journeyman exam application which was denied. Mr. Roeser would like the opportunity to get a North Dakota Journeyman license. He has over 23,000 hours of electrical experience, completed apprenticeship training, and also has over 4,000 hours working in the state of North Dakota. Motioned by Tom Paulson and seconded by Mark Christopher to approve John Roeser to take the North Dakota Journeyman placement exam. Motion carried.

At 9:20 a.m., John Roeser left the meeting.

Mr. Schmidt reviewed the PLT license legislation, SB 2359. There is currently another bill, HB 1157, which allows exemptions from licensure and inspections and conflicts with the intent of SB 2359. Mr. Schmidt reviewed with the Board his conversations he's had with different legislators and also PLT individuals and organizations. Mr. Schmidt provided the Board with a recap of the original intent of the PLT license. Much discussion was had on having a license versus a registration and how such licensing and inspections would affect workload. The Board would like to move forward with the bill as is and have Mr. Schmidt discuss any upcoming matters with Scott Porsborg, Special Assistant Attorney General and Board President Rodney Mayer.

At 10:05 a.m., the Board recessed for a short break.

At 10:15 a.m., the Board reconvened.

Mr. Schmidt talked about CTE (Career & Technical Education). Mr. Schmidt met with their Director, Wayde Sick, and others at CTE to discuss options for utilizing the funding provided. SB 2056 would aide in the process of promoting the electrical trade. If SB 2056 passes, once signed it will help reduce the NDSEB reserves and also promote the electrical industry.

Mr. Schmidt discussed waiving licensing fees for 2020 renewals only and also for the upcoming 16 NDSEB CEU class registration fees for 2019. Motioned by Christina Roemmich and seconded by Mark Christopher to waive license renewal fees for 2020 and waive the 16 NDSEB CEU class registration fee of \$10.00 for the 2019 classes. The Board discussed waiving fees for new licenses and NDSEB CEU class lunches; however, lunch fees cannot be included in the waiver per North Dakota Century Code, and the motion did not include new licenses or apprentice registrations issued in 2020. Motion carried.

The Board reviewed and discussed an apprentice registration form that listed a felony. Motioned by Tom Paulson and seconded by Christina Roemmich to register the individual as an apprentice. Motion carried.

The Board reviewed the email regarding advertising. Board discussed requiring a Master license number to be on vehicles and also the positives of having such identification. It was decided to introduce this to legislation next session and have a sponsor submit the proposal, such as Curt Kasper with NECA. President Mayer will respond to the person inquiring.

Mr. Schmidt informed the Board that the State Auditor's office and also Brady Martz suggested a litigation fund. If the Board is sued for wrongdoing, Risk Management would step in to cover the Board and costs. However, having a litigation fund would cover a limited set of circumstances when Risk Management wouldn't cover the funds for litigation. Motioned by Tom Paulson and seconded by Paul Durbin to create a litigation fund and set aside \$500,000 for the fund. Motion carried.

The Board reviewed the attorney contract and will continue to review it each year or whenever necessary.

Mr. Schmidt indicated the ITD server is still in process, but is hoping it will be done in February sometime. It was also mentioned that the Board access password should be changed anytime a Board member changes.

Scott Porsborg, Special Assistant Attorney General, reviewed the Michael Simonson situation. Mr. Simonson was served with a Complaint on December 1, 2018 for revocation of his Master license and to notify the Minnesota Dept. of Labor & Industry of the same. Mr. Simonson did not respond to the Complaint. Motioned by Tom Paulson and seconded by Paul Durbin to revoke Michael Simonson's North Dakota Master license and to notify Minnesota of the same. Motion carried.

The Board reviewed and discussed setting a policy for Board reserves. Motioned by Mark Christopher and seconded by Christina Roemmich for a Board policy to retain 24 months of business operating expenses in reserves. Motion carried.

Mr. Schmidt reviewed the Audit and Fiscal Review Committee report and letter. Mr. Schmidt explained the current fee structure versus what NDCC 43-09-22 states.

Mr. Schmidt came up with an hourly rate to cover Board cost to help the City of Minot inspect the Trinity Hospital project. Motioned by Tom Paulson and seconded by Mark Christopher to charge \$97.00 per hour based on Board cost without profit to help City of Minot with inspections. Motion carried.

Mr. Schmidt reviewed a request he had received inquiring if the North Dakota electrical exams could be provided in other languages, specifically in Spanish. The Board discussed and it was decided to continue to provide the exams in English only at this time.

At 11:55 a.m., Doug Grinde, Director of Inspections, entered the meeting.

Doug Grinde reviewed wiring certificates ready for an inspection for 2017 and 2018. He also reviewed active certificate numbers by district and counties.

At 12:10 p.m., Doug Grinde left the meeting, and Scott Halle, Training and Compliance Administrator, entered the meeting.

The Board reviewed comment cards from the NDSEB CEU classes. Scott Halle indicated that the 2020 class dates are now secure and he will start getting contracts completed. Scott did some inspecting over the past couple months and is also working on a list of schools to visit to discuss the electrical industry.

At 12:25 p.m., Scott Halle left the meeting.

Mr. Schmidt asked if any Board members would want to testify for SB 2359. He will keep the Board updated with dates once they are posted.

Discussion was reopened about the attorney contract and attorney fees. Motioned by Tom Paulson and seconded by Mark Christopher to increase attorney fees by 5% (rounded to the nearest dollar) each year for the next three (3) years, effective January 1, 2019 and to review after that. Motion carried.

The next regular meeting of the Board will be March 13, 2019.

There being no further business, it was motioned by Tom Paulson and seconded by Mark Christopher to adjourn the meeting. The meeting was adjourned at 12:35 p.m.

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Rodney Mayer, PRESIDENT

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Tom Paulson, SECRETARY