

# North Dakota State Electrical Board Minutes

January 24, 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 Clay Nagel, IBEW.

Schmidt added two agenda items (with handouts) to the agenda: B) Amos Madhombiro; and C) Testing Accommodations.

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

## 6.a. Education Committee

Schmidt provided an update, showed the agenda for the next committee meeting and asked the Board if they had anything to add. The Board had nothing to add.

## 6.b. NDSCS

Schmidt spoke about the meeting and job fair in Wahpeton. Schmidt gave the Board handouts containing their newsletter, and the agenda and minutes of that meeting. Schmidt stated that they are very appreciative of the scholarship provided by NDSEB and included the thank you note from the college.

## 6.c. Inspector

Schmidt put an ad out for an inspector in the western part of the State to help with the workload as they have to send other inspectors out there to assist. He said it was mainly for a feeler to check interest in the position but so far, no applications have been received. The ad runs until Jan 31<sup>st</sup>.

## 7.a. New Employees

Schmidt talked about Allison Carlson and her role. Carlson started January 8<sup>th</sup> and met the Board during the Jan 10<sup>th</sup> meeting. Schmidt discussed that Lacey Eastgate decided that the additional work this position would add was too much to add to her plate at this time. Schmidt explained that Paula Glass will continue to work as a temporary employee to continue training in Allison and will then stay on as a temporary employee to work on primarily finances. Schmidt commented on the ITD Reporting System and its difficulties with getting new people added to it.

## 7.b. Kaleb Witt

Porsborg supplied the Board with additional information on the criminal history of Witt. Mayer gave a quick recap of Witt’s application for Apprenticeship and the discussions from the last Board meeting. Mayer stated the question at hand was whether the Board Approves or denies Witt’s application. There was discussion regarding Witt’s probation status and employer, Denny’s Electric. Buck made a Motion to deny Witt’s Application for Apprenticeship at this time and that Witt can reapply pursuant to NDCC 12.1-33-02.1. Durbin seconded. The motion passed unanimously.

#### 7.c. Brady Martz

Schmidt reported that the report was finalized and the audit is complete.

#### 7.e. Child Support

Schmidt explains that the NDSEB was requested to furnish a listing of licensed/registered electricians to the ND Child Support agency. Schmidt stated that after discussion of the request with Porsborg, the board's reporting system program had to be modified to provide the requested report which was filed their request. Porsborg talks about the Board's protection if the child support agency were to have a data breach, due to immunity provided in the statute.

#### 7.f. William Paul

Porsborg spoke about Paul's hearing coming up on January 31<sup>st</sup>. Porsborg stated that the hearing is regarding the Board wanting to revoke his license. Porsborg explained that the ALJ can only give a recommendation and that the Board has final say as to the status of Paul's licensure. Porsborg discussed the need to get an Assistant AG involved after the ALJ decision. The specific facts or merits of the case were not discussed.

#### 1b. Amos Madhombiro

Schmidt stated that Amos applied for the Journeyman's Exam. Amos is from Zimbabwe and their electrician rules are significantly different the North Dakota. Schmidt stated that a placement exam may be an option at this time. The Board discussed Amos' education and work history that he supplied with his application. Roemmich made a Motion for Schmidt to reach out to Amos and explain the education portion of the requirements and to get his 8,000 hours under a Master electrician. Buck seconded. The motion passed unanimously.

#### 1.c. Exam Accommodations

Schmidt talks about his communication with David Zens and his emailed request to the Board to update the exam protocol regarding retesting. Schmidt states the current requirement is you have to wait 90 days before retesting. The Board discussed the overall test scores and the current rule regarding retesting. The Board asked Schmidt to discuss this topic with the Education committee and put it on the March agenda.

#### 7.h. Reporting System

Schmidt discusses that it is still in the works, and he is looking into various vendors to upgrade the boards reporting system. Schmidt stated he will discuss the progress again at the March meeting.

#### 7.i. Labor Commissioner

Schmidt completed the requested questionnaire. Schmidt stated that once the Commissioner reviews the answers, they may suggest new legislative changes. The commissioner is scheduled to visit with the board at their May meeting.

#### 7.j. Reciprocity

Schmidt states that he still hasn't heard anything from OK, AK, or NM with regard to reinstating reciprocal arrangements.

NDSEB took a recess at 10:01.

NDSEB reconvened at 10:20.

#### 7.g. Administrative Rules

Schmidt reviewed proposals #1-13, 15, 17, 19-23. No comments were received on these proposals. Buck made a Motion to Approve the proposals as written. Brandenburg seconded. Mayer took a roll call vote and the Motion passed unanimously.

Schmidt reviewed proposal #14 and had the Board read the comments from the public. Buck made a Motion to Approve proposal #14 as written. Brandenburg seconded. Mayer took a roll call vote and the Motion passed unanimously.

Schmidt reviewed proposal #16 and explained the comments from the public. Roemmich made a Motion to Approve proposal #16 as written. Brandenburg seconded. Mayer took a roll call vote and the Motion passed unanimously.

Schmidt reviewed proposal #18 and discussed the comments from the public. Buck made a Motion to Approve proposal #14 as written. Brandenburg seconded. Mayer took a roll call vote and the Motion passed unanimously.

Schmidt stated that he will compile the proposals and get the appropriate paperwork filed with the AG's office.

#### 3. Director of Compliance

Sayler talked about the outreach and career fairs in Williston and Fargo, where 110 people attended. Sayler also talked about the Marketplace for Kids in Minot and Bismarck, with 94 students attending.

(Dustin Desjarlais entered meeting.)

Grinde discussed incoming certs in 2023. 15,421 incoming certs; 21 self-wires in Bismarck; 106 MHA projects; and 8,600+ active certs currently. Grinde also stated that inspector evals went out and he is waiting for them to come back and be compiled.

#### 7.d. Dustin Desjarlais

Sayler gave an overview of Desjarlais' past work and his current reinspection. Sayler also mentioned that the Secretary of State's website stated that Desjarlais' contracting license is expired and not in good standing. Buck made a Motion to go into executive session for purposes of Attorney Consultation with regard to pending or imminent litigation (action against Dejarlais' license). Brandenburg seconded. Motion passed unanimously.

*[Entered Executive Session at 11:19 a.m.]*

The Board reconvened at 11:49am.

Porsborg told Desjarlais that the Board discussed reinstating his Masters License. Porsborg said that Desjarlais needs to send proof of his active contracting licensure from the Secretary of State

to Schmidt before his license can be reinstated. Schmidt asks about the invoices Desjarlais sent to the NDSEB and asked Desjarlais if those are the only work Desjarlais has done for which a cert has not been issued. Desjarlais stated “yes”. Mayer asked Desjarlais again whether these invoices are the only non-certs Desjarlais has, nothing more. Desjarlais stated “yes” again. Schmidt asked Desjarlais to mail him a written letter stating all the non-cert work he has ever done. Buck made a Motion to reinstate Desjarlais’ license in addition to Desjarlais sending a hand-written letter to Schmidt documenting the non-certs and sending Schmidt proof from the Secretary of State of Desjarlais’ active contracting license. Roemmich seconded. Motion passed unanimously.

Mayer states the next Board meeting is March 20<sup>th</sup>. Roemmich makes a Motion to adjourn. Brandenburg seconded. Motion passed unanimously.

The Board adjourned at 12:03 p.m.

Date \_\_\_\_\_

Date \_\_\_\_\_

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Rodney Mayer, President

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Paul Durbin, Secretary