

NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES

Wednesday, May 11, 2011

The North Dakota State Electrical Board meeting was called to order at 8:35 a.m. by President James Schmidt at the office of the North Dakota State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, N.D. Members present: Earl Scherer, Rodney Mayer, Ben Koppelman and Karen Karls. Also present was Ashley Windhorst, Administrative Assistant.

President Schmidt asked for further Agenda items to appear at this meeting. Rodney Mayer indicated he had additional items regarding apprentice supervision and future Board members. Ben Koppelman indicated he had additional items regarding Brent Michelsen's apprentice, Tanner Radermacher, and additional Board-related time incurred by Board members. James Schmidt indicated he had additional items regarding safety equipment for inspectors, Kathy Ibach's appearance at 12:30 p.m., information from Dirk Burton from the State of Utah, City of Jamestown's electrical licensing, Tim Pull assisting with exams, office decorating, and Brad Steier participating in extra-curricular activities. There being no further Agenda items, it was motioned by Earl Scherer and seconded by Ben Koppelman that the Agenda, as amended, be approved. Motion carried.

Minutes were presented from the March 9, 2011 Board meeting. Motioned by Ben Koppelman and seconded by Earl Scherer that the Minutes of this meeting be approved. Motion carried.

The Board discussed Brent Michelsen's apprentice, Tanner Radermacher. Ashley Windhorst reviewed he was denied to take the Journeyman exam because he had apprenticeship hours that were lost due to being unregistered. The Board decided they wouldn't take any action until Mr. Radermacher contacted the Board.

At 8:45 a.m., Donald Offerdahl and Brad Steier entered the meeting.

Brad Steier reviewed with the Board the purchase of gas detectors for inspectors to use while inspecting oil sites. Four have been purchased and they are good for two years.

At 9:00 a.m., Scott Porsborg, Special Assistant Attorney General, entered the meeting.

Brad Steier provided an update on the City of Jamestown inspections. At this time, electrical inspector, David Paul, is caught up on finaling certificates. The Board also discussed Chapter 14 of the Jamestown City Ordinance that requires electricians to carry a separate city electrical license.

Donald Offerdahl asked to discuss some matters with the Board. Mr. Offerdahl asked that all meeting minutes be sent to him along with draft minutes. The Board discussed distributing draft minutes. Mr. Porsborg will do some research on this topic. Mr. Offerdahl also asked who the administration is and said he is concerned about the way things have been handled.

The Board discussed Tim Pull assisting with preparing the electrical exams. James Schmidt and Brad Steier will contact Mr. Pull to discuss this matter with him. Motioned by Rodney Mayer and seconded by Karen Karls to have Tim Pull assist Brad in preparing the exams. Motion denied. Motioned by Earl Scherer and seconded by Karen Karls to have James Schmidt and Brad Steier negotiate a contract with Tim Pull to assist Brad Steier in preparing the exams that include a dollar amount that will meet procurement rules. Motion carried. Donald Offerdahl asked the Board to

consider a conflict of interest in using Tim Pull since he is an instructor at the North Dakota State College of Science, teaches continuing education and offers exam prep courses.

At 9:55 a.m., Donald Offerdahl left the meeting.

The Board discussed Brad Steier's participation in extra-curricular events. The Board decided Mr. Steier could participate in NFPA 30a and Code Panel 14. It was also decided the State Electrical Board should continue to be involved with AFCI issues.

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

At 10:15 a.m., the Board reconvened. Mitch Feininger, District 3 Inspector, and Dale Kilwein entered the meeting. Mitch Feininger explained why Dale Kilwein was asked to appear before the Board including lack of issuing wiring certificates, communication, etc. Mr. Kilwein explained to the Board that he is currently working on trying to get his certificates cleaned up and working on communication with his employees. Brad Steier recommended Mr. Kilwein take an administrative rules test. It was motioned by Ben Koppelman and seconded by Earl Scherer that Mr. Kilwein takes the administrative rules test within 30 days and be placed on probation for six months. Motion carried. Scott Porsborg informed Mr. Kilwein of the informal offer consisting of six months' probation and completing the administrative rules test within 30 days. Mr. Kilwein agreed to the terms.

At 10:40 a.m., Dale Kilwein and Mitch Feininger left the meeting.

President James Schmidt informed the Board two applicants, Al Schrader and Carl Martin, were interviewed for an additional electrical inspector position. The Board discussed hiring two inspectors instead of one. Motioned by Ben Koppelman and seconded by Rodney Mayer that Al Schrader and Carl Martin both be hired for electrical inspector positions. Motion carried.

Ashley Windhorst gave the Board an update on Henry Deats' application.

At 11:20 a.m., Henry Deats and his attorney, Zachary Pelham, entered the meeting. Mr. Pelham informed the Board he would be speaking on behalf of his client, Henry Deats. Mr. Pelham explained they were at the meeting to ask the Board to consider approving Mr. Deats' Master exam application and his Journeyman reciprocal application. Mr. Deats introduced himself to the Board and briefed them on his work history. Mr. Pelham informed the Board Mr. Deats is currently employed for ISC Constructors who wants to build an oil refinery in Makoti, ND. Mr. Pelham went through Mr. Deats' work history from signed notarized letters. The Board discussed the work history and asked Mr. Deats questions they had regarding it. President James Schmidt instructed Brad Steier and Ashley Windhorst to contact Mr. Pelham to go over what additional information is needed to complete the applications.

At 12:30 p.m., the Board recessed for a short break. Henry Deats and Zachary Pelham left the meeting.

At 12:45 p.m., the Board reconvened. Dirk Burton of Utah and Kathy Ibach entered the meeting.

President James Schmidt asked Kathy Ibach to briefly go over the Executive Director Search & Selection Guidelines she had drafted. Due to limited time, the Board decided to have a

teleconference at a later time to discuss this topic with Kathy Ibach. Motioned by Ben Koppelman and seconded by Earl Scherer to table the agenda items for Kathy Ibach. Motion carried.

At 12:55 p.m., Kathy Ibach left the meeting.

Dirk Burton, State of Utah Board Member, explained he was at the meeting concerning the letters regarding the reciprocal agreement between North Dakota and Utah. The Board & Mr. Burton discussed Utah's inspection process, inspector qualifications, and procedures and requirements for licensure. Motioned by Ben Koppelman and seconded by Earl Scherer to once again entertain reciprocating Journeyman licenses with the State of Utah. After discussion, North Dakota would accept Utah under the current circumstances, and if something would change in their laws or rules, we would reconsider. Motion carried.

At 1:25 p.m. Dirk Burton and Rodney Mayer left the meeting.

At 1:28 p.m. Paula Glass entered the meeting. Paula gave the Board an update on former Executive Director, Donald Offerdahl. All financial obligations to Mr. Offerdahl have been completed.

Brad Steier reviewed the Kenneth Lyons' letter with the Board. Brad wanted the Board to be aware in case of future problems. The Board instructed Brad to send a response letter.

The Board reviewed the e-mail sent by Jordan Kannianen. It was the Board's decision to respond to Mr. Kannianen telling him that even though they can, at this time, they will not be taking any action against his current Journeyman license. However, he will need to have 10,000 hours of verifiable work experience to apply and take the Master exam.

The Board discussed John Nygord's request for an internship. Scott Porsborg will check with Risk Management regarding passengers in state fleet vehicles. The Board decided to allow John Nygord to shadow an inspector for his internship.

The Board reviewed Anton Helfrich's application. It was decided that the time with Lufkin Automation would not count towards his Journeyman license because our records don't reflect wiring certificates issued for electrical construction. Mr. Helfrich will need to reapply when he has the additional electrical construction experience.

The Board discussed the error on page 20 in the 2011 Laws, Rules and Wiring Standards. The word "repairing" is missing. The word "repairing" was however in the proposal that was approved. An errata sheet will be prepared to reflect the accepted proposal: A maximum of one thousand hours credit for repairing electrical wiring, apparatus and equipment and light, heat and power.

Cease and desist letters were presented to the Board concerning: Mark Mercer, Devils Lake, ND; Dennis Thomas, Sterling, KS; Randy Hoops, Toole, UT; and Struan Clark, Stanley, ND. Having received no communication, it was motioned by Ben Koppelman and seconded by Karen Karls that cease and desist orders be sent to these individuals. Motion carried.

Scott Porsborg updated the Board on the Anne Brawley case.

Ben Koppelman motioned and Karen Karls seconded to table employee matters and education committee update to a future meeting. Motion carried.

Paula Glass reported the cost of iPads would be \$400-\$600 each. The Board discussed if they wanted to purchase iPads or not. It was decided the purchasing of iPads would be placed on hold for now; however, laptops would be allowed at future meetings and Paula Glass will continue doing Agenda hyperlinks and e-mailing the Board packets. Financial information, however, will not be included in the e-mail packet.

Paula Glass reviewed the vouchers and financial reports. She reported details for increases and decreases. Paula Glass also discussed with the Board the option of getting a purchasing card. She will check into it.

President James Schmidt discussed overtime hours put in by inspectors. Brad Steier showed the Board a report of overtime. Brad Steier informed the Board currently the work week starts at 5:01 p.m. Friday. Brad suggested changing it so the new work week starts at 12:01 a.m. Sunday. Board agreed to change the work week beginning at 12:01 a.m. Sunday.

Scott Porsborg briefed the Board on HB 2100. It was discussed as to when to address Board pay and if it needed to be through an administrative rule right away since the statute doesn't require it. No decision was reached.

The Board reviewed Louis Jensen's application due to the felony conviction. Scott Porsborg informed the Board a felony does not automatically disbar someone from obtaining an electrical license; however, the Board should look at felonies to determine if it would have a direct effect on the individual doing their job.

At 3:40 p.m. Paula Glass, Ashley Windhorst, Brad Steier, and Scott Porsborg left the meeting.

The Board discussed wage adjustments for employees.

There being no further business, it was motioned by Ben Koppelman and seconded by Karen Karls that the meeting be adjourned. Motion carried. The meeting adjourned at 4:45 p.m.

Date

Date

James Schmidt, PRESIDENT

Karen Karls, SECRETARY