

# **NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES**

Wednesday, July 11, 2012

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by acting President Earl Scherer at the office of the North Dakota State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, N.D. Members present: Karen Karls, Rodney Mayer and Kyle Miller. Members present by telephone: Ben Koppelman. Also present: James Schmidt, Executive Director; Paula Glass, Office Manager; Renee Pfenning; and Cory Scherer.

Acting President Scherer turned the meeting over to Executive Director, James Schmidt, for the election of President. Mr. Schmidt called for nominations for President. Motioned by Rodney Mayer and seconded by Ben Koppelman to nominate Earl Scherer as President. There being no other nominations, motion carried. Mr. Schmidt turned the meeting back over to President Scherer. President Scherer asked for nominations for Vice President. Motioned by Karen Karls and seconded by Kyle Miller that Rodney Mayer be nominated for Vice President. There being no other nominations, motion carried. President Scherer asked for nominations for Secretary. Motioned by Ben Koppelman and seconded by Rodney Mayer to nominate Karen Karls for Secretary. There being no other nominations, motion carried. President Scherer asked for nominations for Treasurer. Motioned by Rodney Mayer and seconded by Karen Karls to nominate Ben Koppelman for Treasurer. There being no other nominations, motion carried.

President Scherer asked for further Agenda items to appear at this meeting. Mr. Schmidt informed the Board that he had an application for a license from Arthur Hanson; Christi Stonecipher's involvement with our new newsletter; Daniel Cole will not be able to attend until 1:00 p.m.; receipt of a Subpoena for information; and reminder of the administrative rules hearing for July 19, 2012 at 1:15 p.m. in the Red River Room at the State Capitol. Mr. Mayer added discussion on utility involvement during the Minot flood. There being no further Agenda items, it was motioned by Karen Karls and seconded by Rodney Mayer that the Agenda, as amended, be approved. Motion carried.

President Scherer asked for any comments on the Consent Agenda items. It was motioned by Ben Koppelman and seconded by Karen Karls to approve the Consent Agenda items, with further explanation of the financial reports in order for Kyle Miller, newest Board Member, to understand them, and a minor correction on the June 5, 2012 Minutes. Motion carried. Paula Glass, Office Manager, reviewed the contents of the financial reports.

In relation to the Minot flood, Mr. Mayer questioned the Board as to who is responsible for point of service? Mr. Mayer indicated he has customers upset that they have to pay for a permit to replace wire after utility company cut wires in heat of moment during the flood. Mr. Mayer suggested that Executive Director, James Schmidt, contact the utility company about this issue. President Scherer indicated that he will check with utility rules and regulations and contact the Public Service Commission for information.

At 9:00 a.m., Peter Horner and Lynn Johnston of Energy Tech entered the meeting. Mr. Horner handed out information and proposed using the College Outreach program at North Dakota State College of Science for its employees in relation to apprenticeship training.

At 9:20 a.m., Christi Stonecipher entered the meeting.

Mr. Horner also indicated that he will continue to file certificates for all work done in North Dakota with proper job descriptions, including documenting all out-of-state work. After much discussion, it was motioned by Karen Karls and seconded by Kyle Miller to approve Mr. Horner's proposal and that the Board will grant Energy Tech's apprentices full credit upon meeting the requirements as set forth in the Board Laws, Rules and Wiring Standards. Motion carried.

At 9:30 a.m., Peter Horner and Lynn Johnston left the meeting.

Mr. Schmidt introduced Christi Stonecipher as a communications and marketing specialist who will be assisting the Board in revamping the Board's newsletter.

At 9:45 a.m., Ms. Stonecipher left the meeting; and Scott Porsborg, Special Assistant Attorney General and Kathy Ibach of Kathy Ibach Strategies entered the meeting.

Kathy Ibach handed out a draft of an Employee Handbook to all present members. Mr. Koppelman's handbook will be mailed to him. Mr. Schmidt asked Board Members to review and send comments by e-mail to be forwarded to Ms. Ibach. Ms. Ibach indicated that job descriptions are still in draft form.

At 10:15 a.m., Kathy Ibach left the meeting.

Mr. Schmidt reviewed comments received on the proposed administrative rule change.

The Board reviewed a requirement to have license numbers on work vehicles. Attorney Porsborg informed the Board that to his knowledge there has never been a requirement.

Mr. Schmidt presented an application from Arthur Hanson for an electrician's license. After discussion, it was motioned by Karen Karls and seconded by Ben Koppelman that Mr. Hanson's application is denied. Motion carried.

Discussion commenced on the Western Section IAEE meeting in Arkansas, and who would be attending.

Mr. Schmidt informed the Board that Ashley and himself would be attending the NERA (multi-state reciprocal) meeting in August, 2012.

Safety-related matters were also discussed. Mr. Schmidt reported that the meters have arrived and are in the process of being distributed to inspectors. FR clothing is still being researched. Also, a new employee position that will involve safety-related matters is in process.

At 11:00 a.m., Alex Martushev, Lyle Wergeland, Director of Inspections, and Mike Lund entered the meeting

Attorney Porsborg reviewed the case as well as the violations of the Probation Agreement. Mr. Martushev pleaded his case and indicated that most of the past due corrections have been completed. He indicated payment from customers is still a concern. Mr. Martushev also indicated that Cougar Electric has been hired to complete projects and/or corrections on this behalf. Mr. Lund informed the Board and parties in interest of the outstanding corrections and jobs yet to be completed. In answering Mr. Martushev request to have his license reinstated, Ms. Glass informed

the Board that records show his insurance has expired and he does not have any continuing education to renew his license. Mr. Martushev indicated that his paperwork would be cleared up in a month or so, and that he would pursue continuing education. Currently, Mr. Martushev does not have a license, and no further action was taken at this time.

At 11:45 a.m., Mr. Martushev left the meeting.

Mr. Wergeland presented the Board with a Subpoena for information on a security company. He also presented the Board with a handout entailing active district certificates. He informed the Board of a new inspector, David Jaeger, starting.

Mr. Wergeland informed the Board that we currently have approximately 50 plus people testing per month. Due to the volume of applications being received and the number of requests to review a failed exam from an applicant, it was motioned by Rodney Mayer and seconded by Karen Karls to cease from providing any further exam reviews. Motion carried.

At 12:15 p.m., the Board recessed for lunch break.

At 1:05 p.m., the Board reconvened with all parties, except Paula Glass and Renee Pfenning. Daniel Cole entered the meeting.

Mr. Schmidt informed the Board that the Board has received information that may appear Mr. Cole is contracting for more than one shop, Cole Electric and Northwest Steel, as well as issues with certificates and an employee in particular, James Powell. Mr. Cole indicated he had never heard of Northwest Steel, and that Mr. Powell is his employee for the Alexander project. Mr. Powell was caught advertising as Northwest Steel, but claimed to work for Cole Electric. After realizing the Board's concerns, Mr. Cole will rectify any situation and work with Mike Lund on any outstanding issues with the Alexander project. No further action was taken at this time.

At 1:55 p.m., Dan Cole left the meeting.

There being no further business, it was motioned by Kyle Miller and seconded by Karen Karls that the meeting be adjourned. Motion carried.

The meeting adjourned at 2:00 p.m.

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Date

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Earl Scherer, PRESIDENT

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Date

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Karen Karls, SECRETARY