

# **NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES**

Tuesday, July 14, 2015

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by 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: Rodney Mayer and Karen Karls. Members absent: Kyle Miller and Ben Koppelman. Also present: James Schmidt, Executive Director; Curt Kasper, NECA; and Cody Serr, IBEW.

Along with the attendance of NDSEB staff members, Karen Karls was presented with an award for her 15 years of service as the consumer member of the North Dakota State Electrical Board.

At this time, a new Board member has not been appointed, and election of officers was tabled until the next meeting.

President Scherer asked for further Agenda items to appear at this meeting. James Schmidt indicated he received a letter from Jerry French. There being no further Agenda items, it was motioned by Karen Karls and seconded by Rodney Mayer that the Agenda be approved as amended. Motion carried.

President Scherer asked for any comments on the Consent Agenda items. Motioned by Rodney Mayer and seconded by Karen Karls to approve the Consent Agenda items. Motion carried.

James Schmidt reviewed the dates of September 20-23, 2015 for the Western Section IAEI Meeting to be held in Jackson Hole, Wyoming, and inquired of any Board members interested in attending. Determination as to which inspectors are going has been made.

An update of the Board's Report System (data software program) was provided by Mr. Schmidt. Drew Davenport met with office staff, Paula, Ashley and Janel, in June, 2015 to test plan the system, in which he took the information back with him to implement the changes. At this time, training has been postponed until more testing can be done. Equipment, which includes tablets, has arrived and will be ready to deploy when training starts.

Mr. Schmidt informed the Board that he had received a letter from Jesse Peterson of the United Tribes Technical College. Mr. Peterson indicated that the electrical program was cancelled due to lack of funding and enrollment.

Dallas Farrell, who was scheduled for 9:15 a.m., and Mike Pavolko, who was scheduled for 9:45 a.m., failed to appear at this Board meeting.

At 8:45 a.m., Lyle Wergeland, Director of Inspections, and Bret Dolweck, entered the meeting.

Mr. Wergeland reported on inspection progress in various districts, and indicated that the roaming inspectors have helped with higher-numbered inspection districts, particularly in District 9 (Burke and Mountrail) and District 7 (Ward County).

At 9:00 a.m., Ben Koppelman entered the meeting.

At 9:15 a.m., Lyle Wergeland left the meeting, and Paula Glass, Office Manager, and Ashley Windhorst, Administrative Assistant, entered the meeting.

President Scherer inquired of Bret Dolweck as to his appearance. Mr. Dolweck was not on the Agenda, but appeared to appeal the denial of his Application for Master exam. Ms. Windhorst apprised the Board of reasons for denial, which included work experience not being in similar licensing and inspection jurisdictions.

At 9:20 a.m., Scott Porsborg, Special Assistant Attorney General, entered the meeting.

Mr. Schmidt inquired of Mr. Dolweck's experience in North Carolina, which information appeared not to have been included with his application. Mr. Dolweck testified that he has over 30 plus years of experience, and just wants to test for the Master license. It was determined that Mr. Dolweck may have additional experience that may qualify, and that upon receipt of the required information, Mr. Dolweck's application may be reviewed again.

At 9:25 a.m., Bret Dolweck and Ashley Windhorst left the meeting.

Attorney Porsborg stated City of Fargo's ordinance passed on adopting the 2014 National Electrical Code in its entirety.

Paula Glass informed the Board on an issue involving Michael Hood, and perjuring licensing information. At this time, the issue is being investigated by the City of Minot Police Department.

The Iowa Department of Public Safety has inquired of reciprocity with the State of North Dakota as to Journeyman licenses. After discussion, it was motioned by Rodney Mayer and seconded by Ben Koppelman to present an agreement to Iowa to reciprocate Journeyman licenses with North Dakota. Motion carried.

Mr. Schmidt updated the Board on Aaron Halme. Mr. Halme's Master license was previously placed on probation for one year. The owner of Aster Electric, Steve Krause, appears to have gone back to Wisconsin, and ended his association in North Dakota, including with Mr. Halme. Mr. Halme has also left North Dakota, which leaves approximately 55 open jobs, some of which customers have already hired other contractors. If necessary, the Undertaking Fund would be used in this case. After further discussion, it was motioned by Rodney Mayer and seconded by Karen Karls to immediately revoke Aaron Halme's Master license pursuant to the terms of the Probation Agreement, and, if Mr. Halme wants his Master license re-instated, Mr. Halme will need to appear before the Board. Motion carried. Attorney Porsborg advised that Mr. Halme can voluntarily surrender his Master license through informal disposition.

Discussion commenced on David Jaeger's physical move to Williston, North Dakota. Mr. Jaeger is currently the Board's District 12 electrical inspector, who is currently residing in the Board's apartment in Williston. As a result of higher living costs in Williston, the ability to have an electrical inspector living in that area, and in fairness of the Board's wage system, it was motioned by Ben Koppelman and seconded by Rodney Mayer to advance David Jaeger to a 5<sup>th</sup> year electrical inspector, which will increase his hourly rate in order to assist him now in living in Williston. Motion carried.

Low or limited voltage licensing was reviewed. Mr. Schmidt indicated that so far at least two engineers have agreed to serve on a study committee, which will include development of a program and a recommendation to the Board. This committee is needed to determine if this type of licensing is warranted, and to determine the regulations that may come with it. Mr. Scherer indicated that the Board needs to be proactive for safety reasons.

At 10:25 a.m., Ivan Maas of North Dakota State College of Science entered the meeting.

Cody Serr of IBEW approached the Board as to his comments on this subject. Mr. Serr testified that there is a big safety concern in western North Dakota, particularly on oil sites. There are unlicensed instrumentation technicians, and witnessed ceilings in commercial buildings full of cable bundles as well as other issues.

Further discussion took place on the subject of low or limited voltage licensing. It was motioned by Ben Koppelman and seconded by Karen Karls to allow reimbursement of mileage, hotel and meal per diems for committee members. Motion carried.

Discussion took place on work experience and North Dakota State College of Science's involvement in reviewing qualifications of individuals to meet "similar" rules requirement. Ivan Maas of NDSCS appeared before the Board to provide an update on the possibility of this matter. Mr. Maas provided the Board with documentation and a synopsis of how the program would work, which would include a NOCTI test. Curt Kasper of NECA addressed the Board and provided his input on offering assistance. Attendance and employment statistics were provided by Mr. Maas on the electrical program at NDSCS. This program, at the cost of the applicant, may help individuals who do not meet the Board's requirements. This program will test their abilities and competence to take the Board's licensing examination. Attorney Porsborg provided legal advice as to whether the Board's rules will suffice or be required to be changed in order to accommodate pursuit of this matter. No further action was taken at this time.

At 11:40 a.m., Ivan Maas left the meeting.

For their information, Mr. Schmidt presented a letter he received from Jerry French in regard to a previously sent Cease & Desist.

Ms. Glass apprised the Board of contracting Masters that have not renewed and/or met the conditions of renewal, and the amount of time spent on this issue. Mr. Schmidt suggested conducting a special Board meeting that would include requiring the appearance of Terry Kooker, Mark Latour, Justin Neidviecky, James Powell and Joe Stenvold. Discussion took place concerning a date of either August 11<sup>th</sup> or 12<sup>th</sup>, to be determined.

Mr. Schmidt reiterated the good work Scott Halle is doing on his job duties as Training & Compliance Administrator. The Board continues to receive excellent comments at the continuing education classes.

There being no further business, it was motioned by Karen Karls and seconded by Ben Koppelman to adjourn the meeting. The meeting was adjourned at 12:00 p.m.

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Date

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Date

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Earl Scherer, PRESIDENT

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Karen Karls, SECRETARY