

North Dakota State Electrical Board Minutes
July 20, 2022 Meeting

The North Dakota State Electrical Board meeting was called to order at 8:33 a.m. by President Rodney Mayer at the Electrical Board Offices at 1929 N. Washington St., Ste A-1, Bismarck, North Dakota. Members Present: Rodney Mayer, Paul Durbin, Tom Paulson, and James (Jim) Brandenburg. Members Absent: Christina Roemmich. Also Present: James Schmidt, Executive Director; Scott Porsborg, Special Assistant Attorney General; Austin Lafferty, Special Assistant Attorney General; Adam Kidwell, JATC.

Mr. Schmidt introduced Jim Brandenburg, who is the new Journeyman representative on the board. Mr. Schmidt thanked Mark Christopher for his years of service to the board.

Mr. Schmidt called for the organization of the board, and took nominations for President of the board. Mr. Paulson nominated Rodney Mayer for President. There were no other nominations. Mr. Durbin moved the Board cast a unanimous ballot for Mr. Mayer, and Mr. Paulson seconded. Motion passed. Mr. Mayer called for nominations for Vice President. Mr. Durbin nominated Christina Roemmich, and Mr. Paulson seconded. A unanimous ballot was cast for Ms. Roemmich. Mr. Mayer called for nominations for Secretary. Mr. Paulson nominated Paul Durbin and Mr. Brandenburg seconded. A unanimous ballot was cast for Mr. Durbin. Mr. Mayer called for nominations for Treasurer. Mr. Paulson nominated Jim Brandenburg, and Mr. Durbin seconded. A unanimous ballot was cast for Mr. Brandenburg.

Mr. Schmidt added additional items to the agenda: Owen data center, education requirements, an apprentice, and the North Dakota State Hospital.

The Consent Agenda was Discussed. Mr. Schmidt mentioned that several of the "Cease and Desists" are related to the Owen Data Center and Education Requirements items that were previously added to the agenda. Mr. Paulson moved to approve the consent agenda, and Mr. Durbin seconded. Motion passed unanimously.

Doug Grinde is not in the office, so Mr. Schmidt provided a report on Inspections. All inspectors are master electricians as of this past Monday (July 18). Inspections are busy, but going well. Mr. Durbin asked if the Board is well positioned for a new oil boom, and Mr. Schmidt reported that the inspectors believe we are well prepared. Mr. Brandenburg provided additional information based on his personal expertise.

Scott Halle and Jon Sayler entered the meeting at 8:44 a.m.

Mr. Halle presented on continuing education to the Board. Four classes have been completed thus far. Classes are going well, comments and discussion have been positive. Class numbers have been small, but this is standard for the start of the year. Sign up for August classes are on track to match last year. The 2023 NEC should be released mid- to late August. The North Dakota IAEI was discussed at the last inspectors meeting, based on comments made at the May Board meeting. Other inspectors and Mr. Sayler will assist Mr. Halle with the NDIAEI.

Mr. Sayler presented on Information / Inspection / Compliance. He has been proctoring exams and auditing correction reports and certificates as needed. He attended the public comment committee meeting for the Building Code with Mr. Schmidt. He, Mr. Schmidt and Doug Grinde met with Minot City Admin on June 28th, and offered temporary inspection assistance, which

Minot accepted. Also Mr. Saylor has been earned the title of "Master Code Professional." He's one of 800 in the world to achieve this title. Congratulations Jon!

Brian Billingsley and Luke Tillema with the City of Minot entered the meeting at 9:03 a.m.

The City of Minot is currently without an inspector. The Board and the City of Minot are currently partnering to perform inspections within the City. The deal is for two months, through the end of August. The Board will keep the fees from inspections, and absorb any costs related to inspecting. Mr. Schmidt offered some advice and told the City the Board will assist in any way possible. The City representatives thanked the Board for its services during this period and the period following the Minot flood years ago. The City Council will make the decision to re-hire inspectors or contract with the state at the next City Council meeting (on August 15), and the City Planner would like to meet with Mr. Schmidt prior to that meeting. Mr. Billingsley reported the City has some major projects over the next few years which will keep the City busy with inspections. Discussion was held related to the City structure, and potential objections to the Board's involvement.

Mr. Schmidt showed a video titled "It's Not About the Nail" at the request of Mr. Mayer. Mr. Mayer explained how it applies to the Board and its decision-making process.

Mr. Schmidt played the "Midco PSA" - it is the same video that aired last year. There was no cost to the Board, Midco aired for free.

The Board discussed districts. The Board has hired a new inspector for District 7 (Dunn and Mercer County) and started work on June 27th.

Mr. Schmidt informed the Board the office remodel is done. The only outstanding issue is the tables that are still at Roughrider. They are completed but need to be approved.

Mr. Schmidt presented the revised Scholarship Policy, as approved at the previous Board meeting. An apprentice with the JATC (David West) wrote the Board a thank you letter for the scholarship.

Mr. Schmidt presented information on expired contractors. There are approximately three or four contractors who are not currently renewed at this time. (Down from approximately 132 at the beginning of May). The office has developed a good system for this issue.

Mr. Schmidt provided a weekly progress report relating to inspections, which details the average number of inspections per hour, as well as the number of miles traveled between inspections. The report also provides information for the Cities.

The Board discussed an applicant for the North Dakota Journeyman Exam - Eric Johnson. Mr. Durbin brought up precedent recently set by the Board - that during incarceration, he would not be considered fit to take the exam, as he was still in rehabilitation. Mr. Schmidt mentioned the logistics of providing the exam, as examinations are given in person by Board staff. Mr. Brandenburg moved to reject Mr. Johnson's application, as he has not shown he has been rehabilitated. Mr. Paulson seconded. Motion passed unanimously.

Mr. Schmidt presented information related to the data center in Williston. The Board has had several conversations with the electrical contractors and engineer for the project. "Barnard Construction" is doing the high voltage installation and is not utility owned, but rather, customer

owned, and thus subject to the Board's authority. During an inspection it was discovered there was no certificate, and unlicensed persons on the job which the inspector sent the workers home until the company adheres to ND Laws and Rules. Discussion took place regarding issues relating to this project, and communications Mr. Schmidt has had with Barnard Construction and others involved with this project.

Mr. Schmidt presented on "the education requirement" issue - relating to apprentices who were caught working unsupervised in Jamestown. The supervising electrician asked why an education requirement was necessary. Mr. Schmidt provided statistics related to apprentice education, and journeyman examinations. Those apprentices with education in state are more likely to pass the examination than those who are not educated or educated out of state.

The Board discussed the North Dakota State Hospital in Jamestown. The State Hospital has asked if it can share the master electrician with the James River Correction Center. They share a location, and are both state entities, but are separate businesses. The Hospital will continue to work toward hiring its own master, but at the moment, is unable to recruit a master level electrician. The Board discussed the State Hospital's request. Mr. Brandenburg moved to reject the State Hospital's request to share a master electrician with the Department of Corrections. Mr. Durbin seconded. Discussion occurred. Attorney Porsborg informed the Board that the rules prevent a master electrician from mastering for two shops, so the question would be how far the "state umbrella" extends (are these "two shops" or not). Motion passed unanimously.

The MHA Tribe was discussed. Mr. Schmidt informed the Board the Tribe has not yet gotten back to him as to their thoughts on the proposed agreement.

Mr. Schmidt provided an update on the Dakota Spirit Ag issues that were initially discussed at the May 2022 meeting. The company has a master electrician already, and will work towards transitioning him to master of record for the company. The matter is resolved.

Mr. Mayer confirmed the Board members were available for the September 14, 2022 meeting, and the Board confirmed.

Mr. Schmidt presented the 2021-2022 end of fiscal year budget. The Board lost \$1,057,000, and had been slated to lose \$1,300,000. Mr. Schmidt also provided information regarding the Board's financial goals (based on comments from the legislature) and the Board's progress towards attaining them. Discussion took place.

At 11:17 a.m. the Board took a brief recess.

At 11:28 a.m. the Board reconvened.

At 11:30 a.m. Mr. Durbin moved to enter executive session for purposes of attorney consultation. Mr. Paulson seconded.

Durbin – Aye, Brandenburg – Aye, Paulson - Aye

The Board entered executive session at 11:31 a.m.

The Board exited executive session at 11:47 a.m.

Mr. Paulson moved to direct the Board's Attorney and Executive Director to proceed as discussed in Executive Session. Mr. Durbin seconded. Motion passed unanimously.

Mr. Schmidt presented the Board with information regarding employee evaluations. Mr. Schmidt provided the Board with the results of the evaluations, and the areas in which employees could improve. The Board discussed potential retention and labor issues that could impact the Board. Discussion then turned to the employee wage increases and budget that result from the evaluations.

Next meeting September 14, 2022, at 8:30am.

Mr. Paulson moved to adjourn, Mr. Brandenburg seconded. Motion passed unanimously.

Meeting adjourned at 1:10 p.m.

Date _____

Date _____

Rodney Mayer, PRESIDENT

Paul Durbin, SECRETARY