

North Dakota State Electrical Board Minutes

July 26, 2023 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, James (Jim) Brandenburg and Gerald “Poke” Buck. 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; Curt Kasper, NECA; Clay Nagel, IBEW.

Mr. Mayer called the meeting to order at 8:31 a.m.

Mr. Mayer turned the meeting over to Mr. Schmidt. Mr. Schmidt informed the Board Christina Roemmich had been reappointed by Governor Burgum to another 5-year term with the Board. Mr. Schmidt welcomed Ms. Roemmich back for another term with the Board and thanked for her past 5 years of service to the Board. Mr. Schmidt called for the organization of the Board, and took nominations for President of the Board. Mr. Brandenburg nominated Rodney Mayer for President. There were no other nominations. Mr. Durbin moved the Board cast a unanimous ballot for Mr. Mayer and Mr. Brandenburg seconded. Motion passed. Mr. Mayer called for nominations for Vice President. Mr. Brandenburg nominated Christina Roemmich for Vice President. There were no other nominations. Mr. Brandenburg moved the Board cast a unanimous ballot for Ms. Roemmich and Mr. Buck seconded. Motion passed. Mr. Mayer called for nominations for secretary. Mr. Buck nominated Paul Durbin for secretary. There were no other nominations. Mr. Buck moved the Board cast a unanimous ballot for Mr. Durbin and Mr. Brandenburg seconded. Motion passed. Mr. Mayer called for nominations for Treasurer. Mr. Buck nominated Mr. Brandenburg. There were no other nominations. Mr. Buck moved the Board cast a unanimous ballot for Mr. Brandenburg and Mr. Durbin seconded. The motion passed.

Mr. Mayer informed the Board the next meeting is currently set for September 13, and asked if any Board Members had issues with the September 13 date.

Mr. Mayer asked if anyone had any items to add to the agenda. No items were added. Mr. Buck moved to approve the consent agenda. Mr. Brandenburg seconded. The motion passed unanimously.

Mr. Mayer asked Mr. Schmidt to provide an update on the Education Committee. Mr. Schmidt reported the education committee met on June 21, 2023. The committee discussed examinations, and ultimately concluded the current state of the exam was acceptable. Mr. Schmidt expressed some concern about the pass/fail rate declining. Mr. Schmidt discussed issues with allowing electronics during the exam to access the code book, and asked Mr. Kidwell (a committee member) for his input. Mr. Schmidt informed the Board it had given out \$711,034.61 in scholarships since beginning the scholarship program. The committee also discussed licensing (i.e., the possibility of adding a residential electrician license).

Finally, Mr. Schmidt informed the Board about committee terms expiring at the end of the year, and discussed possible reappointment of committee members. Mr. Schmidt called attention to

Christian Opp, who had recently changed professions, and thus no longer meets the requirements of his current position on the committee, and the potential issues with Mr. Opp remaining on the committee. Mr. Schmidt asked Mr. Kasper about a potential individual who would like to serve on the committee. Mr. Kasper informed the Board an instructor at MState had approached him with interest in joining the Committee. Mr. Mayer discussed potential actions the Board could take in response to these issues, and requested Mr. Schmidt advertise for the open position in the Board's newsletter.

Mr. Buck moved Adam Kidwell, Jeff Kersten, and Vance Vesey be reappointed to the Education Committee after the expiration of the terms at the end of the year. Mr. Brandenburg seconded. Motion passed unanimously. Mr. Brandenburg moved the Board remove Christian Opp from the Education Committee due to his change in profession. Mr. Buck seconded. During discussion, Mr. Durbin questioned the benefit to the Board of removing Mr. Opp despite the committee not meeting before the end of his term. Mr. Durbin said he did not see the point of removing Mr. Opp. Mr. Brandenburg said removing Mr. Opp is necessary to set precedent. Mr. Durbin said Mr. Opp fit other categories on the committee, and his input would still be valid on the committee. The Board discussed potentially moving Mr. Opp to another position on the Committee. Motion passed unanimously.

Mr. Schmidt then informed the Board the committee discussed the potential of a "PEP" (Professional Electrician Program). Mr. Schmidt explained what the PEP would entail, and drafted a potential policy for implementing a PEP. Mr. Schmidt asked Mr. Kidwell about JATC's position on the program. Mr. Kidwell said he thought the JATC would explore the possibility. Mr. Schmidt advised the Board take this into consideration, and in the future review the Committee's discussions on this topic. Mr. Kidwell explained that JATC had a system like this in the past, and the potential benefits of the system. Mr. Buck and Mr. Mayer expressed interest in PEP. Mr. Mayer acknowledged the fact that schooling requirements may deter potential apprentice electricians.

Scott Halle, and Jon Sayler, NDSEB joined the meeting.

Brian Baughman joined the meeting via telephone.

At 9:03 a.m. Mr. Mayer called the Public Hearing on Administrative Rules to Order.

[See transcription / recording of Public Hearing].

Mr. Schmidt noted that there is a typo in Proposed Rule #15, and it should read 2023 edition, National Electrical Code, article 210.8(A)(6) (as opposed to (210.8(A))). Attorney Porsborg advised it does not substantially change the proposed rule, and should not be an issue.

At 9:20 a.m. Mr. Mayer closed the Public Hearing on Administrative Rules.

Scott Halle and Jon Sayler exited the meeting.

Mr. Schmidt noted that the Rules are open to written comments until August 9, 2023.

Mr. Schmidt informed the Board that Jeremy Stolp signed the informal disposition agreement, and the agreement has been executed.

Mr. Schmidt said there has been no update to the MHA Nation Agreement issue. He has been in contact with the tribe, but has received no response.

Mr. Schmidt asked the Board how it wished to support inspector Kendrick Kjorsvik on the NFPA code making panel. Mr. Schmidt explained that it appears that Kendrick will be appointed. Mr. Schmidt and Kendrick spoke about the requirements and the costs of being on the Panel. They are asking what support the Board may provide. Mr. Brandenburg stated it would be good to support Kendrick. Mr. Mayer questioned what contributions Mr. Kjorsvik would be making to this process. Mr. Schmidt proposed the Board cover Mr. Kjorsvik's wages, and Kendrick work around the at home meetings. Mr. Durbin and Mr. Buck expressed support for Mr. Kjorsvik.

Mr. Durbin moved the Board support Mr. Kjorsvik's position in the Code Making Panel and pay his wages and out of pocket expenses for in-person meetings that are not covered or reimbursed by the NFPA. Mr. Brandenburg seconded. Mr. Buck clarified this would only be for the in-person meetings. Mr. Durbin clarified expenses could include things like meals, lodging, and local transportation. Mr. Buck clarified that Mr. Schmidt would review the documentation regarding out-of-pocket expenses. Mr. Schmidt confirmed, and stated that statute sets the amount that can be reimbursed for meals. Mr. Porsborg also confirmed the statute binds reimbursement to a specific amount. The motion passed unanimously.

Mr. Schmidt presented additional information on a new reporting system. Staff visited the plumbing board and reviewed the plumbing board's new reporting system. Mr. Schmidt explained some deficiencies with the plumbing board's system for what the NDSEB does. It would serve as a good base, but would need additional work. Staff discussed what reporting system the City of Bismarck, and State of Minnesota uses. Staff discussed both "TrackIt" and "IMS" reporting systems. The State of Minnesota currently uses "IMS" and that company has provided an estimate to the Board for a new reporting system. Mr. Schmidt also discussed hosting the server for the reporting system in office, rather than through ITD. Mr. Schmidt reports he also spoke with other North Dakota boards about what reporting systems they use. Mr. Mayer asked about the benefits to the board and to the staff of upgrading the reporting system. Mr. Schmidt stated he was meeting with IMS representatives next week, and that he hopes to meet with Prominent, who provides the plumbing board's new reporting system. Mr. Schmidt asked Attorney Porsborg if the Board would be required to advertise for this type of work, and Attorney Porsborg responded affirmatively. Mr. Schmidt reviewed the Board's finances and budget relating to the potential new reporting system. The Board and Mr. Schmidt continued to discuss the issues with the current reporting system, and the potential benefits and costs of a new system. Mr. Schmidt will have more information at the September meeting. Mr. Buck asked if there was a reason the Board isn't starting the RFP process? Attorney Porsborg said he and the Board would likely need technical help in drafting the RFP language. Mr. Mayer asked Mr. Schmidt get a draft RFP together, and present again at the September meeting.

At 10:13 a.m. the Board took a brief recess.

At 10:35 a.m. the Board reconvened.

Doug Grinde, Scott Halle, and Jon Sayler entered the meeting.

Doug Grinde, Director of Inspections, reported to the Board on certificate numbers. Certificate numbers are trending higher than previous years. Mr. Grinde also reported on inspections. 8,570 active certs (approx. 612 per inspector) as of Monday July 24. Mr. Grinde reported that there has been some moving of inspectors, with some inspectors assisting those with busier districts. Mr. Grinde reported the MHA nation has sent 39 inspection letters in 2023 and 175 total since the Board began doing the tribe's inspections. Mr. Grinde reported on a ride along inspection with an inspector last week, and reported that he would begin rotating ride alongs with inspectors in the upcoming weeks.

Scott Halle, Training and Compliance Administrator, reported to the Board on class attendance and training. Attendance in the classes is on par with previous years. There was some location shuffling for classes, but there were no issues with the changes. Marketplace for Kids classes are starting soon, and the Board will be planning to attend those as they have in years past. Mr. Schmidt reported that Mr. Halle has been providing individual accommodations for exam takers. The Board will be attending "Walk into my Future" event next week, for elementary aged students.

Jon Sayler, Information/Inspection Compliance Administrator, reported to the Board on the final Marketplace for Kids events for the spring season. The first scheduled event for the fall is in October. The Board attended an FFA career fair in Minot - 34 students stopped by the booth. Mr. Sayler reported the "Walk into My Future" event will be held in Moorhead in August, and they expect 1400 attendees at the event. Mr. Sayler reported that his internal work he's been conducting all inspections for all non-renewed electrical contractors - 62 inspections in total. He will be reinspecting these sites as well. Mr. Sayler reported the Minot Trinity Hospital work has been completed.

Doug Grinde, Scott Halle, and Jon Sayler left the meeting.

Mr. Schmidt reported on the Board's investments. Mr. Ewert is no longer interested in working with the Board on the investments. Mr. Schmidt reported that Mr. Durbin had some thoughts on the investment issues. Mr. Durbin reported to the Board, on research he had conducted into banks on "ladders" that could be set up with Banks within North Dakota. Mr. Durbin provided a list of 62 banks that were chartered within North Dakota and were FDIC insured, for the Board to potentially invest with. Mr. Durbin asserted the Board's goal isn't to make money, but to use that money to promote the electrical trade. Mr. Brandenburg confirmed that because Mr. Ewert withdrew his participation, the previous motion is no longer in effect. Mr. Brandenburg asked for additional clarification as to what Mr. Durbin was proposing. Mr. Buck inquired what firms Mr. Durbin found that may manage our money for us. The Board discussed potential investment opportunities. Attorney Porsborg clarified the requirements for Board investments set by statute. Mr. Schmidt and Attorney Porsborg will work together to ensure the Board's investments are in compliance with statutory requirements.

Mr. Schmidt spoke to the Board about daily compensation for the Board, which was increased from \$300/day to \$500/ day at the previous meeting. Mr. Schmidt provided a comparison with the compensation offered to other boards and commissions. Mr. Schmidt provided potential options if the Board wished to revisit the current compensation set-up at the last meeting. The Board discussed potential compensation - including potentially including time preparing for meetings. After discussion, the Board did not take any action.

Mr. Schmidt presented to the board completed reports for the fiscal year 2022-2023, on inspections progress, fiscal year end budget and fiscal year end of state fleet truck usage. This report included the number of inspections that were completed in each district, and the productivity of inspectors including the average distance travel required for an inspection. The report included the state fleet truck usage per district and costs related to trucks.

Mr. Buck moved to adjourn. Mr. Brandenburg seconded. Motion passed unanimously.

The Board adjourned at 11:32 a.m.

Date _____

Date: _____

Rodney Mayer, PRESIDENT

Paul Durbin, SECRETARY