

NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES

Wednesday September 15, 2021

The North Dakota State Electrical Board meeting was called to order at 8:32 a.m. by President Rodney Mayer at the office of the North Dakota State Electrical Board, 1929 N. Washington Street, Suite A-1, Bismarck, N.D. Members present: Tom Paulson, Paul Durbin, and Christian Roemmich. Members absent: Mark Christopher. Also present: James Schmidt, Executive Director; Jon Saylor, Information/Inspection Compliance Administrator; Scott Porsborg, Special Assistant Attorney General; Austin Lafferty, Special Assistant Attorney General; Curt Kasper, NECA; Adam Kidwell, JATC; Dave Whittemore.

President Mayer asked for further Agenda items to appear at this meeting. Mr. Schmidt added Olson Effertz/Pam Sharp, International Association of Arson Investigator's; the Homebuilders meeting; Staff College Update; and President Mayer added Office Covid Protocols.

At 8:34 a.m. Randy Bartsch, IBEW entered the meeting.

It was motioned by Tom Paulson, seconded by Paul Durbin to approve the agenda and consent agenda. Motion carried.

At 8:36 a.m. Paula Glass entered the meeting.

David Whittemore appeared before the board to discuss the reinstatement of his contracting master's license. Mr. Whittemore's license elapsed this year. Staff described their attempts to communicate with Mr. Whittemore, and the difficulties they had reaching him. They also explained Mr. Whittemore's of outstanding admin fees of \$4,550.00 and \$50 in wiring certificate fees with the 2 corrections remaining. Mr. Whittemore spoke on his behalf and explained what happened from his perspective.

It was motioned by Tom Paulson to allow Mr. Whittemore to renew his license with a twelve-month probation, subject to revocation if any corrections were necessary or violations occurred, and require Mr. Whittemore to pay his outstanding fees. This motion was withdrawn.

At 9:09 a.m. David Whittemore left the meeting.

The Board called Tracy Gilbertson regarding her apprentice exam. Tracy was requesting the Board waive the six-month gap between tests (she had previous scored below 50) and allow her to sit for the exam earlier. Tracy explained the situation, and her request. The Board decided to deny Tracy's request, and require she wait until the January 2022 exam (six months after her previous attempt in July 2021).

At approximately 9:15 a.m. David Whittemore returned to the meeting.

At approximately 9:15 a.m. it was motioned by Tom Paulson to enter executive session for legal consultation regarding Mr. Whittemore's contracting master's license. Paul Durbin seconded. A

formal roll call vote was held. Tom Paulson: Aye. Paul Durbin: Aye. Christina Roemmich: Aye. The motion carried.

At 9:27 a.m. the Board exited Executive Session.

It was motioned by Tom Paulson, seconded by Paul Durbin to resume the meeting. A formal roll call vote was held. Tom Paulson: Aye. Paul Durbin: Aye. Christina Roemmich: Aye. The motion carried.

Attorney Porsborg explained to Mr. Whittemore that the Board viewed this meeting as an informal hearing, and had decided to enter into an informal disposition with the following terms, should Mr. Whittemore agree: A probationary period until October 1, 2022 (Approximately 1 year); no violations of the North Dakota Rules and Laws regarding Electrical Work; to promptly respond to any communications from the Board; complete any outstanding corrections by September 30, 2021; and to pay his outstanding fines today (9/15/2021) and the check must clear. Mr. Whittemore agreed to these terms.

It was motion by Tom Paulson, seconded by Christina Roemmich to accept the terms of the informal disposition. A formal roll call vote was held. Tom Paulson: Aye. Paul Durbin: Aye. Christina Roemmich: Aye. The motion carried.

Attorney Porsborg informed Mr. Whittemore he would receive a copy of the agreement in the mail, and that he must sign and return that document. Mr. Schmidt reminded Mr. Whittemore to keep his address up to date in the certification system.

At 9:32 a.m. David Whittemore exited the meeting.

At 9:33 a.m. Doug Grinde and Scott Halle entered the meeting.

Scott Halle discussed the 8 CEU classes that have occurred so far and 2 upcoming CEU classes regarding the NEC residential. In November, CEU classes with an emphasis on the 2020 NEC commercial construction will begin. Scott attended an FFA career fair in June, and will attend another career fair in Minot in November, and one at Fargo Davies high school at the end of September. Market place for kids has resumed, with two scheduled for this year in Mayville and Minot and 8 additional events scheduled for 2022. Scott and James will meet with the International Association of Arson Investigators on September 16, and give a presentation.

Mr. Schmidt discussed the homebuilder's roundtable Board staff will be participating in in Fargo in December 15. Schmidt also discussed he reached out to the State Fire Marshall, Doug Nelson, and offered to do presentations the fire fighters in ND.

Mr. Schmidt discussed the Education Committee, and the number of scholarship applications for 20-21 the Board has received thus far. Approximately 69 applications.

At 9:48 a.m. Scott Halle left the meeting.

Doug Grinde indicated he had completed ride alongs with every inspector, and that he, along with three inspectors would be attending the Western Section Conference. He discussed the MHA Nation Inspector, conducted ride alongs with him, and helped with some inspections on the reservation. Doug stated he was working through self-wire inspections. Doug reviewed the current certificate numbers, and discussed the rough-in numbers, and explained why some districts have better rough ins than others. Doug mentioned it may be necessary for Cass County to have two inspectors.

Mr. Schmidt discussed Olson Effertz/Pam Sharp, explaining it was about “Applied Blockchain” who is opening up a facility near Jamestown. Board Staff has had four zoom meetings with the engineers/owners of this facility’s electrical to help answer questions of their electrical requirements.

At 10:09 a.m. Doug Grinde left the meeting.

At 10:09 a.m. the Board recessed for a short break.

At 10:26 a.m. the Board reconvened.

Mr. Schmidt discussed that Kendrick had reapplied for the code-making panel and that he would keep the Board apprised of the situation. Mr. Schmidt also provided financial recaps – how the Board is projected to be spending and how it is actually spending in 2021. Mr. Schmidt also discussed an email from RS Electric appreciating the office’s hard work and newsletter, and an email from the AG regarding Board Training. Training will be virtual now. Paul Durbin and Rod Mayer will attend.

President Mayer provided a handout regarding wage comparisons for Executive Directors and admin staff in states across the nation. Requested the Board review for discussion at the November meeting. Paul Durbin suggested the Board visit openpayrolls.com which also provides similar data.

Mr. Schmidt requested the Board review the proposed 2022 calendar, which will be finalized at the next meeting.

The Board then took a tour of potential additional space for the office. The Board returned to the meeting room, and discussed the proposed costs of construction, and additional rent that would result from this remodel. Mr. Schmidt stated construction would start in approximately the last week of November/first week in December if approved. Discussion was held that Goldmark was offering a 15-year lease at competitive prices, approximately \$15/sq. ft. for rent.

It was moved by Paul Durbin to approve the additional square footage for the office and request a second plan be developed and made available for review on November 17th. Christian Roemmich seconded. Discussion occurred.

Paul Durbin moved to amend his motion to request the second plan be made available as soon as possible, and the board can review via special meeting if necessary to approve a plan. Discussion

occurred. Mr. Durbin withdrew his motion and his proposed amendment. Mr. Roemmich, as second, agreed to withdraw.

It was moved by Christina Roemmich to secure the space and accept the lease offered as presented. Tom Paulson seconded. The motion carried unanimously.

It was moved by Tom Paulson to accept the remodel construction plan as is. Christina Roemmich seconded. The motion carried unanimously.

Mr. Schmidt stated that he will request that Hopfauf (the construction contractor) provide a second plan within the next two weeks, and the Board agreed to hold a special meeting if necessary.

At approximately 11:46 a.m. office staff, including Doug Grinde, Paula Glass, Scott Halle, Ashley Windhorst, and Janel Redinger entered the meeting.

President Mayer discussed the office protocol regarding Covid-19. He explained that he had requested a third party come in and assess the office, to ensure all staff is on the same page regarding requirements. Discussion was held regarding the current requirements of the office. Mr. Schmidt stated he has implemented a “stand up, mask up” policy and that he had requested that those staff members who are not vaccinated get tested for Covid-19 weekly. The staff then left the meeting.

Mr. Schmidt mentioned that Ashley Windhorst had completed her college board supported college courses as of September 7 and earned her degree.

Mr. Schmidt mentioned that TIA 1593 was passed by the NFPA correlating committee and that the Board no longer needed to collect information on and exempting GFCI protection requirements (NEC 210.8F) for mini-splits or a/c units with variable speed motors until January 1, 2023. The office will provide information to electricians in the newsletter regarding the NEC’s decision on brackets on AC units.

Mr. Schmidt mentioned that the awning on the building had been completed on the 13th. He has not been approached by Goldmark requesting the Board contribute funds, but if asked by Goldmark, the Board will contribute the amount previously agreed upon.

Ms. Glass returned to discuss two more expired contracting master licenses: Michael Geary and Jeff MacDonald. Ms. Glass provided a synopsis of the difficulties staff was having with both Geary and MacDonald, and any outstanding corrections they had. Mr. Geary had no corrections, while Mr. MacDonald had three jobs that needed correcting by September 30, 2021. It was decided to follow policy, and neither gentleman can get his license renewed unless he comes before the Board.

Mr. Sayler, the newly hired Information/Inspection Compliance Administrator introduced himself, and explained his qualifications and what he had done so far. He also discussed his plans for the position in the future.

Mr. Schmidt discussed a call from a water well driller who mentioned that a bond was required of him by law. The bond language was read aloud from N.D.C.C. § 43-35-14. It was briefly discussed if the Board wanted to pursue requesting bond requirements again. Tom Paulson mentioned it would be helpful to have statistics regarding the number of consumers or amount of money impacted by lack of bond.

Mr. Schmidt mentioned that Doug, Josh D., Justin and Zach will be attending the Western Section Conference.

There is no update regarding “One Energy” or the “Coal Mine” and these items will be removed from future agendas.

Mr. Schmidt mentioned that he and Attorney Porsborg will be discussing the MHA Nation, and reviewed a potential power sharing agreement drafted by Attorney Porsborg’s office. They will continue to review and alter the agreement as necessary. Attorney Porsborg mentioned providing a finalized agreement to the Office of Risk Management for review. Mr. Schmidt mentioned things are going well, three jobs have already been completed by the MHA Nation’s Electrical Inspector on the MHA Nation’s lands.

The next regular meeting of the Board is November 17, 2021.

There being no further business, it was motioned by Tom Paulson and seconded by Paul Durbin to adjourn the meeting. A formal roll call vote was held. Tom Paulson: Aye. Paul Durbin: Aye. Christina Roemmich: Aye. The motion carried. The meeting was adjourned at 12:25 p.m.

Date

Date

Rodney Mayer, PRESIDENT

Christina Roemmich, SECRETARY