

# **NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES**

Wednesday, November 13, 2013

The North Dakota State Electrical Board meeting was called to order at 8:40 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, Ben Koppelman, Karen Karls and Kyle Miller. Also present: James Schmidt, Executive Director; and Paula Glass, Office Manager. Other attendees: Chad Lemar and Kevin Leier.

President Scherer asked for further Agenda items to appear at this meeting. Mr. Schmidt informed the Board of items consisting of correspondence received from Jared Andrist, which he will contact Lance Meyer about from the City of Minot; reschedule of Brady Martz appearance; Kevin Leier to appear and comment on review of a new Reporting System; and matters involving City of Williston. Rodney Mayer added holding continuing education classes on hazardous sections of the code. Kyle Miller commented on length of wiring certificates to remain open. There being no further Agenda items, it was motioned by Rodney Mayer and seconded by Ben Koppelman that the Agenda, as amended, be approved. Motion carried.

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

Mr. Schmidt and Paula Glass reported on issues involving our current Reporting System. Our current system is becoming, if not already, obsolete for the amount of work flow by the Board. Staff reviewed a ready-made, but customizable, program by Davenport Group of Colorado. Kevin Leier provided details of problems being experienced with the current system and the added capabilities and functionalities of a proposed new system. Mr. Schmidt provided the Board with the proposed development quote from Davenport Group of \$80,000 to \$100,000, plus maintenance and update costs. The biggest advantage is that this new system would have GIS capabilities (mapping system) and a mobile application. In addition to other benefits, the GIS mapping system would shorten planning and mapping times for inspectors, have the ability to generate and provide various reports that we currently don't have as well as checklists. President Scherer directed James and Paula to explore additional vendors and present those proposals at the January, 2014 meeting. It was motioned by Rodney Mayer and seconded by Ben Koppelman to obtain at least two additional proposals to present at the January, 2014 meeting for review, and the Board to pay Kevin Leier for his consultation advice on a new Reporting System. Motion carried.

At 9:30 a.m., Kevin Leier left the meeting.

Mr. Schmidt informed the Board that at this time the Board has approved Bluevolt and MEA online classes for continuing education due to limitations. Discussion took place concerning the pros and cons of online classes. Any classes to be conducted and used toward continuing education credit will need to be on the 2014 code effective May 1, 2014. Motioned by Ben Koppelman and seconded by Karen Karls that any online classes conducted on or after May 1, 2014 will require approval from the Board office before credit is granted, and will also need to include a section on the North Dakota Laws, Rules and Wiring Standards. Motion carried.

At 9:55 a.m., Scott Porsborg, Special Assistant Attorney General, entered the meeting.

At 10:10 a.m., the Board recessed for a break.

At 10:20 a.m., the Board reconvened.

Discussion took place concerning the administrative rules timeline. A previous motion set the proposed effective date and adoption of the 2014 National Electrical code for January 1, 2015. Scott Porsborg will contact John Walstad of Legislative Council to verify adoption versus effective date concerns.

At 10:40 a.m., Lyle Wergeland, Director of Inspectors, and Kendrick Kjorsvik, Electrical Inspector, entered the meeting.

Mr. Wergeland informed the Board of his recent telephone conversation with Allen Jenkins in which Mr. Jenkins will not be making an appearance before the Board. Due to non-compliance and violations of the Probation Agreement involving Allen Jenkins and Terry Packer, discussions took place concerning the Undertaking fund, costs involved, inspections to perform and the ability to have any corrections completed, which would include communication with property owners.

At 11:00 a.m., Karen Karls left the meeting.

No appearance was made by Allen Jenkins, Terry Packer or their attorney, James Hilborn. Motioned by Ben Koppelman and seconded by Rodney Mayer to formally revoke Allen Jenkins' Master license and Terry Packer's Journeyman license. Motion carried. Mr. Porsborg was directed to draft the necessary paperwork to serve formal notice to revoke Allen Jenkins' Master license and Terry Packer's Journeyman license. Further discussion took place concerning the \$5,000 Undertaking fund limit, and strategies that the Board may have to take to rectify the various jobs and corrections. Mr. Porsborg explained the Board possibly utilizing condemnation. Other possibilities include minimizing costs by involving Mr. Jenkins and property owners. The first step is to finalize any inspections needed on the open jobs, and see what needs to be corrected. This matter will be reviewed at the January, 2014 meeting.

At 11:30 a.m., Lyle Wergeland and Kendrick Kjorsvik left the meeting.

Mr. Schmidt informed the Board that a house has been rented from Niles Feininger for \$1,500 per month including utilities for our inspectors in the Dickinson area. The lease is for 6-1/2 months, and the house is fully-furnished.

James Barbee's Application for a Journeyman License was presented to the Board. Most of Mr. Barbee's work experience is in jurisdictions that don't meet our requirements. Also, due to his criminal history, more information will be needed. Mr. Barbee also recently registered as an Apprentice and did not disclose any criminal history on his application, which is a penalty of perjury. Motioned by Ben Koppelman and seconded by Rodney Mayer to deny Mr. Barbee's Application for a Journeyman License. Motion carried.

Continuing education comment cards were reviewed.

As a result of inspector interviews for the Williston area, Mr. Schmidt informed the Board that Gregory Rockstad has accepted the position. Additionally, the City of Williston is planning to start their own electrical inspection division, and the Board may need to change their game plan in the next few months.

Mr. Schmidt also indicated that the City of Minot has been and continues to ask for State help in their jurisdiction due to their current situation with inspectors. Also, James and Paula met with the City of Minot as a result of misrepresentations made through our Reporting System, and the fixes required before any further payments are made to the City of Minot.

Mr. Schmidt reported that contractor orientation is going very well. It has opened up some eyes when the Master electrician is going to be contracting for a business versus self-employed. As part of the orientation, a reflection is made per our recent administrative rule change that took effect on July 1, 2013 concerning contracting Master electricians.

Mr. Schmidt reviewed with the Board the Education Committee's October, 2013 meeting. The next step of the Committee is to incorporate and prepare information provided by each member onto an Excel spreadsheet based on curriculum or opinion of what should make up the minimum requirements for an apprenticeship training class(es).

At 12:45 p.m., the Board recessed for a break.

At 12:55 p.m., the Board reconvened, and Charlie Miller entered the meeting.

Charlie Miller appeared before the Board concerning denial of his Application for a Journeyman License. Mr. Miller is requesting that his work experience count even though the requirement is that work experience cannot be obtained in less than three years. Mr. Miller has indicated that he also worked at Dakota Gasification Company; however, those hours were not submitted. Mr. Miller was directed to obtain those hours, and the Board will review his Application again.

At 1:10 p.m., Charlie Miller left the meeting.

There are conflicts with the January 15, 2014 Board meeting date so the next regular Board meeting was rescheduled for January 22, 2014.

An update to the office space remodel was presented by Mr. Schmidt.

Rodney Mayer informed the Board that he was approached by others to have the Board conduct continuing education classes on hazardous locations.

Mr. Schmidt presented the Board with correspondence he received from Jared Andrist concerning the self-wiring test administered by the City of Minot. Mr. Andrist does not feel he needs to take this test and is appealing to the Board. Since this is in City of Minot's jurisdiction and a matter of city ordinance versus policy, Mr. Andrist will need to proceed directly with them.

At 2:00 p.m., Lyle Wergeland entered the meeting.

Lyle Wergeland handed out district reports, and a new district map was reviewed. Discussion took place concerning overall inspections versus certificates coming in from contractors.

Attorney Porsborg reviewed with the Board hearing procedures for administrative rule proposals.

There being no further business, it was motioned by Rodney Mayer and seconded by Kyle Miller to adjourn the meeting. The meeting was adjourned at 2:25 p.m.

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Date

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Earl Scherer, PRESIDENT

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Karen Karls, SECRETARY