

NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES

Wednesday, November 18, 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, Kyle Miller, Ben Koppelman and Tom Paulson. Also present: James Schmidt, Executive Director; Ashley Windhorst, Administrative Assistant; and Curt Kasper, NECA.

President Scherer asked for further Agenda items to appear at this meeting. James Schmidt indicated Mario Contreras would not be appearing. There being no further Agenda items, it was motioned by Ben Koppelman and seconded by Tom Paulson that the Agenda be approved as amended. Motion carried.

An update of the Board's Report System (data software program) was provided by Mr. Schmidt. Ben Davenport met with office staff, Paula, Ashley and Janel, on November 4-5, 2015 to test the system, in which he took the information back with him to implement the changes. Tablets will be distributed to the inspectors at the December meeting for them to familiarize themselves with them prior to training.

Mr. Schmidt informed the Board that office staff, Paula, Ashley and Janel, attended a training seminar October 26, 2015. Mr. Schmidt is in the process of getting quotes for trainers to come into the office for inspectors.

Mr. Schmidt discussed IAEI memberships for Board members. Discussion was had about NDSEB's involvement in the IAEI organization and inspectors attending chapter meetings.

At 9:00 a.m., the Board recessed for a break.

At 9:20 a.m., the Board reconvened, and William Larson and Scott Porsborg, Special Assistant Attorney General, entered the meeting.

William Larson's Application for an Electrician's (Journeyman) License was presented to the Board. Mr. Larson does not have the formal education requirement so his application was denied. Mr. Larson testified he had been registered in Wisconsin in 2007 and moved to North Dakota in 2010. He misinterpreted the requirement of needing training if you registered after January 31, 2008, since he had been registered in another state in 2007; therefore, he didn't think the training requirement pertained to him. Motioned by Rodney Mayer and seconded by Kyle Miller to deny Mr. Larson's application until he has the required training requirements. Motion carried.

At 9:55 a.m., William Larson left the meeting, and David Lucio entered the meeting.

David Lucio appeared regarding his Application for an Electrician's (Journeyman) License, which was denied due to a felony. Mr. Lucio presented his criminal record (felony charges)

to the Board. Motioned by Ben Koppelman and seconded by Tom Paulson to allow Mr. Lucio to take the Journeyman exam. Motion carried.

At 10:20 a.m., David Lucio left the meeting, and Johnny Corrales, Paul Shumpert and Chuck Hitchcock entered the meeting.

Paul Shumpert appeared regarding his Application for an Apprentice Registration, which was denied due to a felony. Mr. Shumpert presented his criminal record (felony charges) to the Board, along with several recommendation letters. Motioned by Ben Koppelman and seconded by Kyle Miller to allow Mr. Shumpert to become registered as an apprentice. Motion carried.

At 10:45 a.m., Paul Shumpert and Chuck Hitchcock left the meeting.

Johnny Corrales appeared regarding his Application for an Electrician's (Journeyman) License, which was denied due to a felony. Mr. Corrales presented his criminal record (felony charges) to the Board, along with a list of programs he is currently attending and others which have been completed since 2007. Motioned by Ben Koppelman and seconded by Tom Paulson to allow Mr. Corrales to take the Journeyman exam. Motion carried.

At 11:20 a.m., Paula Glass, Office Manager; John Mongeon and Mindy Piatz entered the meeting.

Mr. Mongeon and Ms. Piatz presented the Board with a report on the 2013-2015 audit.

At 11:45 a.m., John Mongeon and Mindy Piatz left the meeting. The Board recessed for lunch.

At 12:50 p.m., the Board reconvened. Lyle Wergeland, Director of Inspections; Kendrick Kjorsvik, District 10 Inspector; Justin Neidviecky and David Phillips entered the meeting.

Justin Neidviecky, and his attorney, David Phillips, appeared before the Board. When Mr. Neidviecky appeared at the August 12, 2015 meeting, the Board gave Mr. Neidviecky until October 15, 2015 to complete his outstanding corrections. Mr. Schmidt asked if all corrections were completed by October 15, 2015. Mr. Neidviecky said most corrections were completed but not all. Mr. Kjorsvik reported what he found when he completed inspections on November 17, 2015. Mr. Schmidt asked again why the corrections were not completed by October 15, 2015. Mr. Neidviecky had no answer. Mr. Schmidt explained the importance of a Master completing their corrections and not submitting false reports. Mr. Neidviecky said he understands his responsibilities and is willing to do what it takes. Mr. Schmidt pointed out that Mr. Neidviecky waited until the day before this meeting to make the corrections. There was more discussion about Mr. Neidviecky's jobs, corrections, payments, and old certificates. Mr. Phillips asked the Board to consider a different solution than to revoke Mr. Neidviecky's Master license. Motioned by Rodney Mayer and seconded by Kyle Miller to enter into Executive Session. Motion carried. Justin Neidviecky and David Phillips left the meeting.

At 2:00 p.m., the Board entered into Executive Session.

At 2:30 p.m. Ben Koppelman motioned and Kyle Miller seconded to end Executive Session. Motion carried. Justin Neidviecky, David Phillips, Mark Latour, and Ken Muller entered the meeting.

Probationary terms were presented to Mr. Neidviecky. The probationary period would be three (3) years; during which time there will be no violations of the North Dakota Laws, Rules, and Wiring Standards; no late certificates; no unsupervised apprentices; no falsification of correction reports; and no past due corrections.

Mr. Neidviecky and Mr. Phillips requested time to discuss the probation terms. They will submit an answer via email by the end of the day.

At 2:45 p.m., Justin Neidviecky and David Phillips left the meeting. Motioned by Kyle Miller and seconded by Tom Paulson to proceed with the probation terms, and Attorney Porsborg will commence drafting the Agreement.

Mark Latour appeared before the Board. Mr. Latour stated the corrections discussed at the August 12, 2015 meeting are now complete. Ms. Glass reviewed with Mr. Latour ten (10) additional certificates that were just issued for old jobs dating back to 2012, 2014, & 2015. Mr. Schmidt asked Mr. Latour what the plan is for getting all jobs and certificates cleaned up. Mr. Latour said he was unaware of the ten (10) additional jobs, but that Mr. Muller hired a Journeyman and they are working on completing the corrections. Mr. Muller said he's gone through all invoices and paperwork and certificates have been issued on all jobs as far as he knows and job costs are accurate and fees have been paid. Mr. Latour agrees not to renew his license in April, 2016, and he will complete all corrections prior to that date and not issue any more certificates.

Motioned by Rodney Mayer and seconded by Ben Koppelman for Mr. Latour to clean up all of his certificates by April, 2016 and not renew his Master's license in 2016. Motion carried.

At 3:15 p.m., Mark Latour and Ken Muller left the meeting.

Mr. Schmidt informed the Board that a reciprocal agreement was sent to the State of Iowa and we are just waiting for it to be returned.

Mr. Schmidt informed the Board that all of Aaron Halme's work will be completed under the rogue contractor process.

Attorney Porsborg updated the Board on Michael Hood. No criminal charges have been filed yet.

Attorney Porsborg reported Terry Kooker was served; however, he did not respond so the Board may revoke his Master's license. Motioned by Rodney Mayer and seconded by Ben Koppelman to revoke Terry Kooker's Master license (M 0984). Motion carried.

Jason Will did not appear. Motioned by Kyle Miller and seconded by Tom Paulson to proceed to revoke Jason Will's Journeyman license. Motion carried.

Administrative rule proposals were discussed. The deadline is February 28, 2016.

The 2016 Board calendar was presented. The next Board meeting would be January 20, 2016. Motioned by Rodney Mayer and seconded by Tom Paulson to accept the 2016 calendar and scheduled dates. Motion carried.

Lyle Wergeland reviewed the district reports. Most districts are averaging the same numbers; however, District 3 (McKenzie County) has seen an increase. There are currently three inspectors working in District 9 (Burke, Divide & Mountrail).

Scott Halle provided an update on the Board CEU classes and the good/positive responses we continue to receive on comment cards. Mr. Halle indicated he is also preparing for the Board's 2016 classes which will be held from June 2016 – January 2017. Mr. Halle has also been working on gathering information on approximately a dozen rogue contractors situations. He also discussed the new gas detectors which were purchased for the inspectors.

The next Board meeting will resume on January 20, 2016.

There being no further business, it was motioned by Ben Koppelman and seconded by Tom Paulson to adjourn the meeting. The meeting was adjourned at 4:00 p.m.

Earl Scherer, PRESIDENT

Kyle Miller, SECRETARY