

NORTH DAKOTA STATE ELECTRICAL BOARD SPECIAL MEETING MINUTES

Wednesday, February 12, 2014

The North Dakota State Electrical Board meeting was called to order at 1:05 p.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: Ben Koppelman, Kyle Miller, Karen Karls and Rodney Mayer. Also present: James Schmidt, Executive Director; Lyle Wergeland, Director of Inspections; Paula Glass, Office Manager; Ashley Windhorst, Administrative Assistant; and Scott Porsborg, Special Assistant Attorney General. Others present: Brent Michelsen, James Barbee, Brad Steier, Don Iverson, Randy Bartsch and Don Offerdahl.

James Barbee appeared before the Board and provided testimony to substantiate taking the Journeyman exam. Mr. Barbee's Application was denied for lack of experience regulating similar laws and rules of North Dakota, and his criminal history. Ashley Windhorst informed the Board that Mr. Barbee was short by 2,696 hours of verifiable time. Karen Karls questioned Mr. Barbee concerning his criminal history record. Ben Koppelman started explaining how the Board has to maintain consistency when it comes to verifiable experience, when his explanation was abruptly interrupted by Mr. Barbee. At this point, Special Assistant Porsborg told Mr. Barbee he was out of order and directed him to end verbal engagement with Mr. Koppelman. After repeated verbal engagements from Mr. Barbee, Special Assistant Porsborg ordered that he leave the Board meeting.

At 1:20 p.m., Mr. Barbee was escorted from the Board meeting room.

At 1:40 p.m., President Scherer, at the request of Mr. Barbee, inquired of the members and attendees of this Special Meeting if they would voluntarily leave the Special Meeting, since this was an open forum, they would not be obligated to leave.

Brent Michelsen, Brad Steier, Don Iverson, Randy Bartsch and Don Offerdahl voluntarily left the meeting.

James Barbee re-entered the meeting.

Ben Koppelman re-iterated his initial explanation of maintaining consistency with verifying experience and equality of gathering 8,000 of experience. Mr. Koppelman also indicated that we have allowed others in his situation to take a placement exam, and if he passes it, he would be allowed to take the Journeyman exam. Ms. Windhorst informed the Board that we have verified 5,304 hours, however, Mr. Barbee is short by 2,696 hours. Mr. Barbee provided testimony concerning his work experience, particularly in Texas. He also indicated that if a placement exam is offered, he would not be interested. President Scherer asked Mr. Barbee why he would not be interested, with a reply from Mr. Barbee that it was about pride. After further discussion about giving Mr. Barbee an avenue to obtain his Journeyman license, it was motioned by Ben Koppelman and seconded by Karen Karls to allow James Barbee to take the placement exam within 60 days. Rodney Mayer inquired about previous Board policy. President Scherer asked for roll call vote on the motion, and results were: Karen Karls, aye; Ben Koppelman, aye; Kyle Miller, nay; Rodney Mayer, nay; Earl Scherer, aye. Motion carried.

At 2:05 p.m., James Barbee and Ashley Windhorst left the meeting.

At 2:05 p.m., the Board recessed for a short break.

At 2:15 p.m., the Board reconvened.

Brent Michelsen, Brad Steier, Don Iverson, Randy Bartsch and Don Offerdahl re-entered the meeting.

Discussion continued from the January 22, 2014 regular Board meeting concerning administrative rule proposal number 1 in order to determine whether to adopt the 2014 NEC and whether, if so, certain article provisions would be exempted from that adoption.

Article 100 - Readily accessible defined (use of tools to gain access to equipment). Mr. Koppelman informed the Board the conversation on this topic at the Western Section IAEI meeting. Don Iverson and Brad Steier added their definitions of this Article.

Article 210.8 - GFCI – Dwelling unit sinks. Karen Karls provided the Board and attendees with a scenario of having a GFCI behind a refrigerator, and having this GFCI trip and then trying to get behind the refrigerator. Don Iverson indicated that the 2011 NEC had no requirement, however, the 2014 NEC now requires GFCI within 6 feet of the outside edge of any dwelling unit sink.

Article 210.12 – Arc-Fault Circuit Interrupters. This article now requires all AFCI devices mandated by 210.12 to be installed in a readily accessible location. Discussion took place concerning placing AFCI protection behind heavy furniture. Brent Michelsen voiced that an electrical contractor would not know what the customer/owner does after they leave the site. Further discussion took place concerning combination AFCI/GFCI devices. Don Iverson mentioned that combination GFCI/AFCI breakers are just being introduced and testing is being done on various appliances for compatibility. Mr. Michelsen also indicated that he is still experiencing some issues with AFCI devices. Don Offerdahl indicated that he has not experienced any tripping and the previous issues with the AFCI devices appear to be rectified. Mr. Iverson provided everyone with a website address to report any problems – www.afcisafety.org. Ben Koppelman motioned and Kyle Miller seconded that from the 2014 NEC that the Board exempt any expansion to locations defined under 210.12 and maintain location requirements be consistent with the 2011 NEC. Further discussion by Rodney Mayer took place. President Scherer asked for roll call vote on the motion, and results were: Rodney Mayer, aye; Kyle Miller, aye; Ben Koppelman, aye; and Karen Karls, nay. Motion carried.

Article 210.52 – Outdoor Outlets. Discussion took place concerning the new 2014 NEC requirement for outside garage receptacles to be on their own circuit. Motioned by Ben Koppelman to exempt and allow to be connected to adjacent circuits. There being no second, motion failed.

At 4:00 p.m., the Board recessed for a short break.

At 4:05 p.m., the Board reconvened.

Minimal discussion took place concerning the following articles, and Ben Koppelman indicated no opposition to them:

- 314.25 – Drywall screws.
- 406.5 – Receptacles in Countertops.
- 406.9 – Extra Duty In-Use Covers.
- 406.15 – Dimmer Controlled Receptacles.

- 422.5 – GFCI Protection (Appliances).
- 422.51 – Vending Machines.

Article 590.4 - Support (Temporary Installations). Brad Steier referred to OSHA standards requiring physical protection to be maintained for cable assemblies and flexible cords by not allowing them to lay on the floor or ground. This does not include extension cords.

It was motioned by Ben Koppelman and seconded by Karen Karls to approve administrative proposal number 1, as amended, noting exception taken to the adding of location requirements for AFCI/GFCI in 2014 NEC Article 210.12. Motion carried.

Discussion took place concerning the 2014 NEC and North Dakota Laws, Rules & Wiring Standards effective date. Previously, the Board set a January 1, 2015 date, however, it was motioned by Rodney Mayer and seconded by Karen Karls to change the effective date to September 1, 2014. Motion carried.

There being no further business, it was motioned by Ben Koppelman and seconded by Kyle Miller to adjourn the meeting. The meeting was adjourned at 4:50 p.m.

Date

Date

Earl Scherer, PRESIDENT

Karen Karls, SECRETARY