

NORTH DAKOTA STATE ELECTRICAL BOARD MINUTES

Wednesday, March 7, 2012

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by acting 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: Earl Scherer, Karen Karls, and Rodney Mayer. Members absent: Ben Koppelman and James Schmidt. Discussion took place concerning the prospective Executive Director salary and benefit package.

At 8:45 a.m., President James Schmidt entered the meeting and acting President Earl Scherer relinquished the chair to President Schmidt. Also present were Paula Glass, Office Manager, and Lyle Wergeland, Director of Inspections.

President Schmidt asked for further Agenda items to appear at this meeting. Mr. Scherer informed the Board of an employee policy manual/handbook. Ms. Glass informed the Board of new employment of city inspectors, City of Bismarck taking over City of Lincoln, update on office security system, and Minot volunteer status. There being no further Agenda items, it was motioned by Earl Scherer and seconded by Rod Mayer that the Agenda, as amended, be approved. Motion carried.

Minutes were presented from the January 11, 2012 and January 17, 2012 Board Meetings. Motioned by Earl Scherer and seconded by Rod Mayer that the Minutes of these meetings be approved. Motion carried.

It was discussed that Janelle Glass's temporary employment will end March 12, 2012.

Monthly vouchers and financial reports were reviewed. Discussion took place concerning Certificates of Deposit and renewal dates. It was motioned by Rod Mayer and seconded by Earl Scherer that the monthly vouchers and financial reports be approved. Motion carried.

Lyle Wergeland informed the Board that for the volunteers to do electrical work in the City of Minot area that he has compiled the exam and is ready. Ms. Glass read a letter from Rhonda Thompson of Lutheran Disaster Response that they have hired a Master electrician to oversee the volunteers.

Earl Scherer informed the Board that he is working with Kathy Ibach of Kathy Ibach Strategies in drafting an employee policy manual/handbook, which will include job descriptions, policies, etc.

Paula Glass informed the Board that the City of Fargo has replaced Gary Larson, who retired, with Chad Lemar and also hired an additional inspector, Eric Mayer. The City of Minot has also hired Vincent Wentz, Chuck Schultz and Donald Thom as additional inspectors.

At 9:25 a.m., Scott Porsborg, Special Assistant Attorney General, entered the meeting.

A letter from Ray Ziegler of the City of Bismarck was presented regarding taking over the City of Lincoln for electrical inspections. Attorney Porsborg informed the Board that since it is an organized municipality that they can make their own arrangements for inspections.

Rod Mayer provided an office security system update and that further information will follow after Dean Eberle of AVI Systems reviews it.

At 10:00 a.m., the Board recessed for a short break.

At 10:15 a.m., the Board reconvened.

At 10:16 a.m., Scott Porsborg left the meeting.

Discussion took place concerning an increase of the hourly rate for legal fees. It was motioned by Earl Scherer and seconded by Rod Mayer to adopt the hourly rate increase. Motion approved.

At 10:20 a.m. Scott Porsborg entered the meeting.

Rod Mayer entertained for discussion advertising on company vehicles to include a North Dakota Master license number. With the increase of out-of-state electricians coming into North Dakota, this may help with our inspectors, as well as wholesalers. Attorney Porsborg indicated that this may need to go through administrative rules. No action was taken at this time, but Mr. Mayer will continue to research this issue.

At 10:30 a.m., Ashley Windhorst entered the meeting.

The requirements of a Master electrician in Idaho, Alaska and Washington were discussed. These states have either recently adopted the requirement of a Master electrician or they have something similar, but does not meet our requirements of a Master electrician. The employment verification forms that are being sent in do not contain the signature of a Master electrician because these states have supervising Journeyman and/or Electrical Administrators, which does not meet our requirements under the Reciprocal Agreement. No action was taken on this matter at this time.

At 11:15 a.m., Ashley Windhorst left the meeting, and Alex Martushev and Michael Lund, Electrical Inspector, entered the meeting.

The Board reviewed with Mr. Martushev that his Master license is subject to possible denial, revocation or suspension for failure or refusal to maintain or adhere to the minimum standards set forth by the electrical code by not submitting wiring certificates prior to the start of the job, failing or refusing to correct electrical installations and not providing proper supervision of apprentice electricians. Mr. Lund has indicated that there have been several incidents involving these matters. After supplying a list of employees, Mr. Martushev inquired as to what is considered "direct supervision". Mr. Wergeland also indicated that there are several overdue correction reports that need to be rectified. Attorney Porsborg read the applicable notice to Mr. Martushev before going into Executive Session.

At 12:12 p.m., Earl Scherer motioned and Rod Mayer seconded to enter into Executive Session. Mr. Martushev left the meeting.

At 12:30 p.m., Rod Mayer motioned and Earl Scherer seconded to end the Executive Session. Mr. Martushev entered the meeting.

Attorney Porsborg stated to Mr. Martushev the Board's actions concerning his Master license. A probation agreement shall be entered into entailing two years' probation, that corrections are

completed by April 7, 2012 for Certificate #543328 and the rest by April 30, 2012, an administrative rules test be completed at the Board's office by April 30, 2012, and that he adhere to all of the rules and regulations of the Board and respond promptly to communication requests. Mr. Martushev accepted the conditions of probation.

At 12:45 p.m., Mr. Martushev left the meeting, and the Board recessed for a short break.

At 1:00 p.m., the Board reconvened.

Cease and desist letters were presented to the Board concerning Jay Abrams, Machesney Park, Illinois; Kyle Huffman, Albany, OR; Benjamin Sowers, Bellaire, MI; Rodney Jacques, Sweet Home, OR; George Owen, Devils Lake, ND; Storm Lantrip, Clinton, LA; and Jim Ahmann, Lebanon, MO. Having received no communication, it was motioned by Earl Scherer and seconded by Karen Karls that a cease and desist order be sent to these individuals. Motion carried.

Applications for licenses were presented. The Board reviewed the applications from Joe Blurton, Patrick Litke, Corey Obenauer, Joshua Wright, Peter Garcia and Alex Zirbes. Motioned by Earl Scherer and seconded by Rod Mayer to approve the applications of Mr. Blurton, Mr. Litke and Mr. Garcia; to deny the application of Mr. Zirbes; to deny Mr. Obenauer's request for a modified exam, but to approve extended time to take the exam; and to table Mr. Wright's application until the next Board Meeting to allow his employer to appear. Motion carried.

Discussion took place concerning Williston housing prospects due to the need to hire additional inspectors in the western part of the state, which interviews are scheduled for April 3 and 4, 2012.

Reimbursement of excess funds was discussed. President Schmidt asked that suggestions be sent to Attorney Porsborg to discuss at the next Board Meeting.

Mr. Wergeland informed the Board that at the present time Richard Krause, Electrical Inspector, is working in the Minot area and is residing at the Minot apartment.

At 1:50 p.m., Paula Glass and Lyle Wergeland left the meeting.

President Schmidt relinquished the chair to acting President Earl Scherer. Mr. Scherer presented a counteroffer from prospective Executive Director. Motioned by Rod Mayer and seconded by Karen Karls to accept counteroffer with acceptance notification to be received in one week by prospective Executive Director. Motion carried.

At 2:20 p.m., Scott Porsborg left the meeting.

Acting President Earl Scherer relinquished the chair back to President James Schmidt.

Vern Hertz' retirement was announced effective June 30, 2012.

Mr. Wergeland informed the Board that the workload in the eastern part of North Dakota has also increased. In addition to the two to three additional inspectors to be hired, the Board may also hire a temporary inspector.

Ashley Windhorst entered the meeting at 3:10 p.m.

New application procedures were presented to the Board by Paula Glass and Ashley Windhorst, which is consistent with many other states.

The North Central Electrical League is being held in April, 2012. Mr. Wergeland has indicated that he would like to go with up to three other inspectors to this conference and trade show in Minnesota. The Board will leave it to Mr. Wergeland as to who the other inspectors will be going.

There being no further business, it was motioned by Karen Karls and seconded by Earl Scherer that the meeting be adjourned. Motion carried.

The meeting adjourned at 3:30 p.m.

James Schmidt, PRESIDENT

Karen Karls, SECRETARY