

## **North Dakota State Electrical Board Minutes**

March 26, 2025 Meeting

The North Dakota State Electrical Board meeting was called to order at 8:30 a.m. by President Rodney Mayer at the Electrical Board office at 1929 N. Washington St., Ste A-1, Bismarck, North Dakota. Members Present: Rodney Mayer, Jon Hoffman, James Brandenburg, Gerald “Poke” Buck, Christina Roemmich. Also Present: James Schmidt, Executive Director; Scott Porsborg, Special Assistant Attorney General; Anna Heinen; Tim Krommenhoek, Iris Krommenhoek, Adam Kidwell, JATC; Clay Nagel, IBEW; Curt Kasper; Bobbi Gunderson; Steve McFall; and Alan Wooldridg.

Mayer asked for additional Agenda items. Schmidt would like to add Kenneth Hoon and Bobbi Gunderson to the Agenda. All in favor.

Mayer asked for a Motion to approve the Consent Agenda. Buck makes the Motion to approve. Brandenburg seconds. Motion passed unanimously.

Casey Hoskinson - Schmidt talks to the Board about his executed Informal Disposition and Probation Agreement.

Reciprocity - Schmidt talked to Texas and they have their legal department reviewing our agreement. Schmidt is now unsure about reciprocity with them due to their lack of supervision of apprentices. He would like to think more on the agreement.

Legislative Update -Schmidt tells the Board about the legislative bills they are watching and gives the Board a spreadsheet to review. Schmidt talks about the elevator inspection bill and the things that need to go into it if it passes. ND is one of three states that doesn’t inspect elevators at the moment. Porsborg tells the Board about the 3 “no” votes in committee and his thoughts on why there was some resistance.

Mayer talks to the Board about Schmidt’s continued activity at the State Capitol for the Legislature and how good he is at staying informed and active.

[Attorney Christina Sambor enters meeting. Attending on behalf of McFall.]

Inspector Interviews - Schmidt tells the Board about 8 applicants and the 7 interviews they undertook. Schmidt was able to get 1 hired for the Grand Forks area but they were unable to secure another candidate so they will keep looking for the right fit. Schmidt discusses the City of Grand Forks’ possible need for help with City inspections. Schmidt discusses the handout that lists the inspectors and their coverage areas. Schmidt discusses the purchase of a new work trailer and getting it all set-up.

Placement Exams - Schmidt talks about the Canadian Red Seals’ applications and his discretion regarding the same. Schmidt asks if the Board would like to have a say in the other Placement Exam applications. Buck makes a Motion to allow Schmidt to Continue to Handle all the Placement Exam Applications. Brandenburg seconds. Motion passes unanimously.

Education Committee - Schmidt talks to the Board about BSC and their work on getting their program up and running. The Education Committee will meet in Fargo on May 8<sup>th</sup> to discuss the current and new programs. Schmidt speaks on the great education committee and how they aren't afraid to speak up and they work together well.

[Paula Glass and Inspectors Jon, Sean, and Doug enter meeting]

Tim Krommenhoek (present with wife Iris) - Mayer talks to Krommenhoek about the reason we are here. Schmidt discusses Tim's work, Sean's re-inspections, the Informal Disposition and Probation Agreement, and the inspection sheet that Jon put together for the Board's review. Jon and Schmidt describe the spreadsheet to the Board. Schmidt discusses the amount of times Krommenhoek had certified certain corrections over and over and Sean had to reinspect 5 times before the work was finally corrected. Schmidt discusses the second spreadsheet covers invoices and costs and whether they matched with the incoming invoices from the General Contractors or not. Tim states he has been in business since 2016 but the audits only went back to 2021. Tim talks about the bad year it has been for him and that he just wants to move forward. On 30 jobs, 88 corrections were not done. Glass talks about the fees assessed for the corrections that had to be re-inspection violations and late cert violations – in the excess amount of \$10,000. Mayer asks the Krommenhoeks if they are aware of the re-inspection fees – they agree.

Krommenhoek talks about his gratefulness for the probation agreement. He states he is fine with the fines and fees and that they will pay them. Krommenhoek states they have customers that are waiting for work to be started and he is eager to keep working.

Jon talks about broken trust and Sean talks about the lack of supervision of his apprentice, Josh.

Roemmich makes a Motion to Enter Executive Session for the Purposes of Attorney Consultation for Imminent Litigation Purposes. Brandenburg seconded. Roll call vote taken and Motion passes unanimously.

[Tim Krommenhoek, Iris Krommenhoek, Adam Kidwell; Clay Nagel; Curt Kasper; Bobbi Gunderson; Steve McFall; Alan Wooldridg; and Christina Sambor leave the meeting]

*Board Enters Executive Session at 9:24am*

*Board Exits Executive Session at 9:48am*

[Tim Krommenhoek, Iris Krommenhoek, Adam Kidwell; Clay Nagel; Curt Kasper; Bobbi Gunderson; Steve McFall; Alan Wooldridg; and Christina Sambor reenter the meeting]

[Attorney RJ Pathroff and Attorney Alica Schafer from Vogel Law enter the meeting]

Roemmich makes the Motion to initiate formal action for revocation of Krommenhoek's Masters license unless he voluntarily gives up his Masters license and agrees to accept a journeyman license. Brandenburg seconded. Mayer took a roll call vote and Motion passes unanimously.

Porsborg talks to Krommenhoek about his Masters license and the Board's determination to offer that he can either surrender his Masters License, while retaining a Journeyman's license, or he can have the Board go Formal and have his case heard before an ALJ. Porsborg states that he has until April 4, 2025, to inform Porsborg in writing of his decision. This gives him time to consult with an Attorney, if chosen. If Porsborg does not receive any written communication from Krommenhoek by April 4<sup>th</sup> regarding his decision the Board will go Formal.

Porsborg states that Krommenhoek must complete all existing certified jobs under a different Master electrician and he is to pay all outstanding fees and fines. Porsborg stated a letter will go out listing the proposition and the date to respond. Krommenhoek asks that if he surrenders his Masters license today, can he reapply for his Masters license in a year. Porsborg states that the Board cannot tie the hands of any future Board. Krommenhoek says he will surrender his license today. Porsborg confirmed and stated that his office will send out a new Informal Disposition and Probation Agreement listing the new terms.

[Inspectors Sean and Jon leave meeting]

[Tim Krommenhoek and Iris Krommenhoek leave meeting]

*Board takes a break at 10:00 am*

*Board reconvenes at 10:10 am.*

[Inspector Rich Krause enters meeting]

Stephen McFall (present with Attorney Sambor and Alan Wooldridg) - Schmidt discusses McFall's appearance before the Board- the incident that happened with the explosion of several transformers at the Underwood data center. Attorney Sambor gives the Board insight into McFall's current legal situation in relation to the data center. Sambor discusses the Cease and Desist letter that NDSEB sent to McFall and Porsborg stated that the Board made a decision to put McFall's license on hold until he makes an appearance before the Board. Porsborg asks whether McFall can speak about the incident at Underwood or whether his pending civil action hinders that. Porsborg states that he is aware that this is a public meeting that anything discussed at the meeting can be used in his pending civil litigation.

Schmidt talks to the Board and McFall about the electrical work and the explosion at the Data Center. Rich talks about proper torquing and manufacturing instructions that weren't followed. Hoffman tells McFall that members of the Board are educated in this voltage, with installation and execution and that they are very aware of the danger this could have caused to the public. Sambor talks to the Board about their need to review the documents received today from the Board and how they can go forward with discussions with the Board in light of the active civil litigation pending. Porsborg discusses the Board's options at today's meeting and how McFall can move forward after today.

After consulting with her client, Sambor states that McFall would voluntarily not renew his license due by April 30<sup>th</sup>.

Mayer asks for the Board's recommendations. Roemmich makes the Motion that the Board will forego immediate formal disciplinary action on McFall's license if McFall agrees to not renew his license and agrees that any future renewal, testing or application for a license will have to come before the Board for acceptance or denial. Brandenburg seconds. Motion passes unanimously.

[Glass, McFall, Attorney Sambor, Wooldridg, Attorney Pathroff, Attorney Schafer, and Inspector Rich leave meeting]

Bobbi Gunderson - Schmidt explains that Bobbi submitted a proposal for an administrative rules change to accept an electrical material handler/laborer into the labor force. Gunderson talks about the need for electrical laborers at job sites, and not just in the shops/warehouses. She states that they wouldn't need to apply as an apprentice because they wouldn't be earning electrical hours, they would be just wasting money. Gunderson states that this would help the industry, not hinder it. Mayer asks what is broke for this to be utilized. The Board took no action.

Kenneth Hoon - Schmidt talks about Hoon's Masters license renewal application. Porsborg talks about the handout showing Hoon's criminal charge, judgment, and release from probation. Porsborg reads the rehabilitation statute and the Board discusses. Schmidt pulls Hoon's electrical background/work history for the Board. Porsborg states the option to the Board is to renew the license or go Formal. Mayer asks the Board for their recommendations. Roemmich makes a Motion to Allow Hoon to renew his Masters electrician license. Brandenburg seconds. Motion passes unanimously.

Samson Fritz - Schmidt will remove this as Fritz did not show for the meeting.

CMP 14 - Kendrick submitted a written report on what's been going on with the CMP for the Board's review.

Brian Schaf - Schmidt explains to the Board about Schaf's application to renew his Journeyman's License. Schmidt talks about Schaf's felony disclosure on his application and states that Schaf's license is inactive at the moment- he let his license lapse in 2023. Buck makes a Motion to deny Schaf's application to renew his Journeyman's electrician license. Brandenburg seconds motion. Motion passes unanimously.

Andrew Montano - Schmidt explains that the office denied Montano's Journeyman's license application for reciprocity out of Colorado. Schmidt explains that Montano hasn't had a Journeyman's license in Colorado for 1-year so he is unable to reciprocate per the rules, hence the denial. Montano is appealing the NDSEB denial. Schmidt gives some background on Montano's recent criminal conviction to the Board. Porsborg explains that per statute, Montano would not be considered prima facie rehabilitated. Hoffman questions why we would analyze denial on the criminal conviction and lack of rehabilitation at this stage, when he is ineligible for a license under reciprocity rules. He suggests the Board supply a letter to Montano stating the denial stands as he hasn't met the reciprocity rules. Hoffman makes a Motion to Deny Montano's Appeal Per the Reciprocity Rules. Buck seconds. Motion passes unanimously.

Upcoming Board Meeting - Mayer states the next Board meeting is May 21, 2025, and asks for any issues with Board attendance. No issues stated.

*Board takes a break at 11:34 am*

*Board reconvenes at 11:42 am.*

[Inspectors Doug, Jon, and Scott enter meeting]

Directors of Inspections - Doug talks about his news article and his listed definitions. Incoming certs are on track with last years numbers. 2,900 incoming certs for the year. Roughly 950/ month. Doug has been traveling with the new inspector. Doug was in Williston cleaning up old self wires. They have about 663 certs per inspector. 3 Districts in the West are in the 700s. 62 active MHA active certs left.

Scott got contracts for venues. Scott is incorporating a commons corrections portion that was well received last year so he will keep that presentation again. Scott stated the presenters were great this year and the rotation went well. BSC and H&H are getting their programs together for review. Marketplace in Dickinson and Mayville went well. Continuing Ed are being reviewed and going well.

Jon talks about the Marketplace for Kids and 65 students attended. Career fair scheduled for April 23<sup>rd</sup>, first time attending. JATC visit scheduled for April 3<sup>rd</sup> and discussing the Boards roll and inspections. 14 new contractors, 9 from out of state. State Building Code adoption took place and will have 4 or 5 for the Boards review.

[Inspectors Doug, Jon, and Scott leave meeting]

Steven Heussner - Schmidt states that Heussner's assistant called on Monday the 24<sup>th</sup> and inquired why he couldn't renew. Schmidt stated he can appear before the Board and he was thinking about appearing at the May meeting. Heussner stated he was only present for 3 weeks and he was the guy that put the boots on.

NDSCS - This is a 'thank you' to the Board for the recent scholarship money. To date approximately \$1.1m has been given for all student/apprenticeship scholarships since the fall of 2020. Hoffman asked if there is a way to track where the recipients choose to work after their schooling to see how many join the ND workforce or move to a different state- Schmidt states "not at this time".

Recruitment/Retention - Schmidt wants to reiterate a 'thank you' for the retention bonus that was given to all employees. He has heard many good things, as has Mayer.

2025-2026 Budget - Schmidt presented and gave a summary of five different budgetary options for the board's consideration which included employee wage adjustments. Schmidt states that the Elevator Inspections, if passed in legislature, would increase the regular legal work line item and the current computer reporting system budget item may need to be adjusted down the road. Mayer

asks about the Brady Martz fee and asks if that is the average cost for audits -Schmidt states that he doesn't have exact increases for the audit in 2025.

[Clay and Adam leave meeting]

Schmidt notes the increase in income with the fee raise that went into effect. Hoffman asks about the current cost of living and whether that was taken into account. Schmidt states they were 10-12% behind and he was looking to decrease the deficit with a 5% increase at the January meeting, then adjust again for the 25-26 fiscal year. Hoffman states that the salaries look low for the licensed staff subject matter experts that the Board is putting out there. Schmidt would like wage consistency, so they aren't creating regions within ND.

Mayer asks the Board's recommendations. After much discussion, Hoffman made a Motion to approve the 2025-2026 Budget with budget option number five included increases across the board for all employees. Buck seconds motion. Discussion was held regarding the budgeted amount for the Operating System and the current status of the new system. Motion passed unanimously.

Roemmich makes a Motion to adjourn. Brandenburg seconds. Motion passes unanimously.

The Board adjourned at 1:01 pm.

Date \_\_\_\_\_

Date \_\_\_\_\_

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Rodney Mayer, President

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Jon Hoffman, Secretary