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Governor

## STATE OF NEBRASKA

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### STATE ELECTRICAL BOARD– March 13, 2020

The Electrical Board meeting was held on March 13, 2020 in the meeting room located at the Lincoln City/ County Building room 214, Lincoln, Nebraska. George Morrissey called to order at 9:00 A.M. Members present: Ed Bergstraesser, Michael Hunsberger, Dave Hunter, Cory Mueller Jim Brummer, and others present were Kevin Booker Executive Director, Amy Schulze, Nevaeh Fleuren, James Place, Mike O’Hearn, Tom Hamre, Brenda Hamre and John Jelkin.

Corrected minutes of the February 7, 2020 meeting were reviewed; Cory Mueller moved and Michael Hunsberger seconded a motion to approve the minutes. Voting aye; all

### REVOCATION APPEAL HEARING TOM HAMRE

Director Kevin Booker outlined the board of the previous hearing.

The board heard testimony from Attorney James Place attorney for Tom Hamre regarding the work he and others performed on the basement without a permit of the house belonging to Amy Schulze and Paul Fleuren and presented the board with letters from Mike O’Hearn, employees and customers for the board to review.

Tom testified and apologized to board and others for his previous testimony of the work performed by himself and others, Tom gave a breakdown of what work in did and what was done by employees of Matt Rasmussen.

Mike O’Hearn owner of Shamrock Builders and Clover Properties testified to Tom’s character as an electrician and work done on homes for Vets.

Brenda Hamre testified that Tom was the most loyal person she had ever met both friends and family being married for 25 years and how Tom was determined to make this right for all involved.

Attorney James Place asked the board to revisit the terms of his revocation for life ruling.

The board asked Kevin if he had a recommendation, Kevin testified that he felt Tom's Journeyman license be reinstated and at some point after quarterly reviews of his work performance be able to come back to the board to be able to sit for his contractor's license.

Amy Schulze followed up with what she was told by Tom in an earlier conversation about the basement wiring and how he lied to cover for others and issues that resulted from the wiring.

The board discussed the testimony from all parties regarding both the installations and the discrepancy with what Tom and testified to the Real Estate commission and the severity of the code and permit violations after much discussion regarding the violations of the rules and after some discussion Ed said he would be in support of Tom getting his journeyman's license back with supervision requirements for a duration of at least two years and quarterly reports.

Michael Hunsberger testified that he felt the previous ruling was the proper action of the board.

Amy Schulze followed up with what still needed to be fixed and the cost to repair and rewire the basement.

Dave Hunter said that he felt the original ruling was fair. But would support reporting.

Ed made a motion to issue Tom a Journeyman as long as quarterly reporting is made and the ability to retest after two years, Cory Mueller felt it should be six years, discussion that maybe four years be more proper, Jim Brummer discussed the damages that resulted, Ed discussed the being a civil matter and that the board could only look at the license violation.

George Morrissey said that this would be a fair penalty, Mike Hunsberger stated that he did not feel that this and severe enough considering the violation.

Ed made an amended motion to reissue Tom a Journeyman license with a probation of four years with quarterly and after that period the ability to retest for his contractor's license and come back to the board, Dave Hunter seconded the motion. A roll call vote was requested.

Jim Brummer Yes, Dave Hunter Yes, Mike Hunsberger Nay, George Morrissey Yes, Ed Bergstraesser Yes, Cory Mueller Yes, motion passes.

Discussion with John Jelkin from the AG'S office regarding licensing of special installer license such as solar installer licenses and options of using 81-2112 to create special installer licenses and how oversight could be achieved for those licenses, and pending legislation.

John Jelkin discussed differences between policy and having a guidance document.

## FINACIAL REPORT

Booker reported the revenue for January was \$95,253.09 with expenses of \$128,394.87 for a loss of \$33,141.78, and the revenue for February was \$78,898.45 with expenses of \$127,089.56 for a loss of \$48,191.11 leaving the cash on hand balance of \$1,443,959.65.

Kevin Booker gave his budget status, upcoming expenses, director report and discussed the open meetings law and what updates will be made.

## EXAM DISCUSSION

Ed Bergstraesser opened discussion to eliminate the division giving the exam and outsource it to a 3<sup>rd</sup> party and directed Kevin to start the process to make changes to allow for this, George agreed with Ed that we should begin the process to outsource and set a target date regardless of the cost and approach apparitions to ask for additional funding to cover the cost of going to national testing and move forward as soon as possible regardless of code adoption, and set a target date due to the corona virus, Ed followed up that we heed to go to apparitions to tell them that this is what the board wants.

Ed said that we will change to rules to make them work with letting a 3<sup>rd</sup> party do the exam available at the time.

It was said that doing this will free up more time for Mike in supervising inspectors and doing evaluations, Cory asked if July 1<sup>st</sup> would be a possible date to have this accomplished.

Mike Hunsberger said that he would like to see the chief in the field more.

Kevin was directed to put it on the web site letting everyone know of the rules hearing to change the rules allowing this.

The board did not see an issue testing on one code and enforcing another code cycle.

## DIRECTOR REPORT

Kevin gave the board a report of the Grainger's review regarding PPE (personal protection equipment) and what they recommended as a safety plan. Dave Hunter asked what type of shirts we are currently providing, Kevin followed up on possibly changing to shoes with a steel sole, George felt that the major concern was that the shirts we currently issue has polyester rather than cotton, Dave Hunter discussed providing shirts with 100% cotton. Kevin informed the board that we do provide the inspectors with a FR smock.

Kevin reported on his request for additional inspectors and his current funding request, George discussed a request he received from one of the inspectors asking the board to provide for the inspectors to attend the IAEI meeting, the concern was the importance of social interaction of the inspectors with other inspectors attending this meeting.

Ed suggested we look at not having them use vacation leave if they wanted to attend, George felt that we should not shut the office down to achieve this.

Kevin informed the board regarding an inspector that was off, and that the March exam was canceled being Norfolk canceling classes due to the corona virus.

The next board meeting will be April 10<sup>th</sup> 2020

George reminded the board that Dennis Carraher had requested to be on the agenda for the next board meeting, Kevin said that he will send then a copy of the information that Dennis provided prior to the meeting.

Jim Brummer informed the board of the process used by NPPD employees attending a board meeting, discussion of employees using work hours to attend the meeting.

Kevin asked George and the board to review inspector work hours that was recommended by George and John for a few individual inspectors.

#### NEW BUSINESS

No new business to discuss, Cory Mueller moved and Ed Bergstraesser seconded a motion to adjourn at 11:38 am.

  
Kevin Booker, Executive Secretary