

State of Iowa Electrical Examining Board Meeting Minutes
February 16, 2017
Approved

Board Members Present

Todd Cash
Dave Guthrie
Marg Stoldorf
Kyle Barnhart
Jeff Quigle
Allen DeHeer

Board Members Present on Conference Call

TJ Meiners
Wayne Engle

Board Members Absent

Emily Wuebker

Staff Members Present

John Lundquist, Assistant Attorney General
David Ranscht, Assistant Attorney General
Barb Edmondson, Attorney
Brian Young, Executive Secretary
Beth Feilmeier, Secretary 2

Chairperson Barnhart called the meeting to order at 10:02 am. The first item on the agenda was the approval of the open meeting minutes from December 15, 2016 and January 19, 2017. Engle made a **motion** to **approve the December minutes**. Quigle **seconded** the motion. Motion carried. Regarding the January 19 minutes, VC Stoldorf inquired who had made the motion to adjourn; after discussion, Meiners was added. Engle added that he was not mentioned on the minutes, so his name was added to the minutes as well. DeHeer made the **motion to approve**. Cash **seconded**. Motion carried.

Assistant Attorney General Lundquist interjected to ask if the hearing on the Complaint Case Number EEB201611 could be discussed first due to a conflict that he had at 11:00 am. Cash made a **motion** to **amend the agenda to discuss the item in closed session first**. DeHeer **seconded** the motion. Motion carried. Barnhart called for a motion to go into closed session. Engle seconded the motion. VC Stoldorf interjected to ask AAG Lundquist to verify why the Board was going into closed session, which he did. Motion carried, with roll call vote as follows:

Quigle-yes
Barnhart-yes
Stoldorf-yes
Guthrie-yes
Cash-yes
DeHeer-yes
Meiners-yes
Engle-yes

Closed session here.

OPEN MINUTES RESUME

Engle made a motion to accept the solution for case EEB201611 except to reduce the timeline of six months. VC Stoldorf seconded the motion.

Quigle- no
Barnhart- no
Stoldorf- yes
Guthrie- no
Cash- no
DeHeer- no
Meiners- yes
Engle- yes

Motion did not pass, 3 in favor, 5 opposed. Barnhart asked if there was a new motion. Guthrie made a **motion to approve the solution as presented**. Cash **seconded** the motion.

Quigle-yes
Barnhart-yes
Stoldorf-no
Guthrie-yes
Cash-yes
Deheer-yes
Meiners-no
Engle-no

Motion carried, 5 in favor, 3 opposed.

AAG Lundquist stated that he and ES Young would communicate with Mr. Hart that the Board had split feelings regarding the decision to the licensee, and to inform him the Board expected full compliance. AAG Lundquist had to excuse himself and introduced David Ranscht from his office, who would take his place in the meeting representing the AG office.

CP Barnhart asked if the Board could discuss the waiver request for Jady Thole, as his family was waiting for him in the lobby. Engle excused himself from the meeting, as he had a conflict.

CP Barnhart turned the meeting over to Executive Secretary Young. ES Young gave the Board a brief history of the waiver request and Mr. Thole was requesting to be allowed to sit for the Journeyman exam. ES Young stated that after talking to his previous employers, he recommended that Mr. Thole be allowed to test, as he did meet the State of Iowa's administrative rule for test requirements. VC Stoldorf made a **motion to approve the waiver and allow Mr. Thole to test**. Quigle **seconded** the motion. Motion carried.

ES Young continued on with the Secretary's report. The next item was the financial report. He discussed the permitting and licensing revenue for the month of January, and also the year to date revenue. He had

compared the numbers to previous fiscal years and said that it was right on track to previous years. Quigle excused himself from the meeting as he had a conflict.

The next item on the agenda was a vote on the civil penalty letters. Those individuals receiving civil penalty letters were: **Zachary Streif, Albert Harper III, Steven Yoerger, Alan Beck, Cody Harken, Ryan Garrison, Jay Reisetter, Brandon Swearingen, Lee Davis, Logan Sackett, Erick Fenton, Andrew Bunnell Jr., Samuel Cox, Bryce Van Houten, Sean Joynt, Brian Gillman, Brian Gillman, & Beau Nelson**

VC Stoldorf made a **motion to approve the letters**. DeHeer **seconded** the motion. Motion carried.

The next agenda item was to inform the Board of the enforcement letters sent out 12-1-16 through 2-7-17. Those individuals receiving enforcement letters were: **Heidi Taylor, Jim Clark, & Barb Adams/Terry Yackish (Permit Required), Dustin Thompson (Permit Required & Cease & Desist), Varner Berkeley, Craig Hackett, & Clark Zivojnovich (Cease & Desist), Joe Bartlett-Bartlett Electric, Virgil Dewayne Olney-Moxie Solar, Michael Mohrfeld-Mohrfeld Electric, Chase Saldeen, Brian Edelen, & Richard Elliot (Unlicensed person(s) on the job/Improper licensure), Hobbie Pieken (Unprofessional/Unethical Conduct.)**

ES Young informed the Board that a new inspector, Dean Sampson, would be starting with the division on February 24.

The next item for discussion on the agenda was to review license applications for Jarrod Majors, Martin Hiatt, and Larry Babcock, all currently incarcerated. ES Young said what he was looking for some direction from the Board on what to do with similar applications received in the future. VC Stoldorf inquired of Edmondson if the Board could rule that if a person had a class C felony or worse would be automatically disqualified. Edmondson stated that the statute required that the Board use discretion, but she did not think that the Board could have a blanket rule if the statute required the Board to exercise discretion. AAG Ranscht stated that the statute gave discretion, but the Board could state without any formal ruling, that under certain circumstances the Board staff could be given criteria and rules to approach applications a particular way.

CP Barnhart stated that he thought that the criteria should state that once a person was no longer incarcerated, then it would be up to staff to determine qualifications for licensure, but not until release. VC Stoldorf asked if it needed to be an agenda item in order to adopt such a ruling. AAG Ranscht stated that he did not think the Board necessarily needed to, because the ruling was just a guideline for applications going forward. VC Stoldorf asked if criteria could be established the same way for such applications so that Board staff could determine eligibility of additional applications that had been received, and AAG Ranscht said it would, and the decision was up to the Board to determine these parameters.

After some additional Board discussion, Meiners made a **motion to direct the staff to deny any application if the individual is currently incarcerated**. VC Stoldorf **seconded** the motion. Motion carried. Meiners made a **motion to deny the requests for licensure currently on the table**. VC Stoldorf **seconded** the motion. Motion carried. Edmondson excused herself from the meeting.

The next agenda item was an update from ES Young on the license renewals. He informed the Board that the process was much easier and smoother with the new licensing method.

The next item on the agenda was discussion on reciprocating Journeyman licenses with Texas and New Hampshire. CP Barnhart called on audience member Rich Kurtenbach for input regarding the reciprocity

with Texas. CP Barnhart called for a motion. VC Stoldorf made a **motion** that **ES Young proceed with Texas reciprocity discussions with an amendment to add the proposed changes that AAG Lundquist had suggested to the agreement.** Barnhart **seconded**. After some additional discussion, motion carried, 5-1.

The next item on the agenda was a report on PV installations. ES Young turned the meeting over to the Rules subcommittee representative, Todd Cash. After some discussion, ES Young said that the purpose of the agenda item was to determine what the Board's wishes were in regards to PV installations and what the PV installers could and could not do. He said he wasn't seeking formal approval of the document, since it would have to be changed when the 2017 NEC was adopted, but rather to determine what an electrician could do versus a PV installer.

Meiners inquired what a change to an administrative rule would look like if the Board decided to pursue that course. ES Young said that it would have go through the normal rule making procedure stating that all PV installations would have to be completed by a licensed electrical contractor. VC Stoldorf inquired if the document met the requirements that ES Young thought needed to take place, and ES Young stated that this was the way the Board had been operating since 2012. After some discussion, Meiners said he thought that ES Young should just continue the way the Board had been, and that if they wanted to change the rule somewhere down the line, the Board could pursue it at that point.

VC Stoldorf asked ES Young if he had any additional information on the legislative bills which were currently on the floor. ES Young said that HSB 16 which had been proposed was now indefinitely suspended. The other proposed bill was regarding residential master licenses, and ES Young said that the bill would discredit the required education for the license that was currently in place. He stated that this particular bill was also no longer going to move forward from his understanding. The third bill, HSB 86, had been discussed earlier in the day on the hill. ES Young said that if a bill like this were put forth, we needed to ensure they were made very clear, and the Board was not put in a position like they were in the past. ES Young said that he thought the bill had been written in an ambiguous way, and had proposed that a definition of service equipment be included in the language. ES Young said that he was told that the proposed legislation was just intended to provide clarification and nothing would change.

CP Barnhart asked if there was a motion to adjourn. Cash made the **motion** to adjourn. Guthrie **seconded** the motion. Motion carried. Meeting adjourned at 12:30 pm.