

State of Iowa Electrical Examining Board Meeting Minutes
April 20, 2017
Approved

Board Members Present

Todd Cash
Dave Guthrie
Kyle Barnhart
Allen DeHeer
John Claeys
Kathleen Stoppelmoor

Board Members Present on Conference Call

Marg Stoldorf

Board Members Absent

TJ Meiners
Wayne Engle
Jeff Quigle

Staff Members Present

John Lundquist, Assistant Attorney General
Brian Young, Executive Secretary
Beth Feilmeier, Secretary 2

Chairperson Barnhart called the meeting to order at 10:00 am. The first item on the agenda was the approval of the open meeting minutes from February 16, 2017. Vice Chair Stoldorf made a **motion** to **approve the minutes**. DeHeer made a **motion** to second with a correction of “of” to “to” in the first sentence under “open minutes resume.” Motion carried. CP Barnhart called for a motion to approve the closed meeting minutes. VC Stoldorf made a motion to approve. Guthrie seconded the motion. Motion carried.

The next item on the agenda was the report of Executive Secretary Young. CP Barnhart turned the meeting over to ES Young.

The first item on ES Young’s report was the financial report, which had been previously submitted to the Board member for their review.

The next item for business was the civil penalty letters. Those individuals receiving civil penalty letters were: *Charles Assman, Jacob Kilburn, Christopher Treimer, Brandon Gerst, Timothy Assman, Brian Pfab, Benjamin Gates, Christopher Storto, Christopher Hull, Ryan Gochenour, Sean David, Nathaniel Smith, Jason Scherff, Nathan Russell, Joseph Speak, Thomas Kinney, Shaun Capalla, Stephen Canty, John Jenniges, Joseph Mozena, Joshua Babcock, Ryan Albertsen, Nathan Dreeszen, Colten Jenkins, Robert Banner III, Justin Beam, Damian Butts, Steve Howerton, Matthew Walz, & Christian Mlynarczyk.*

Claeys made a **motion** to **approve the letters**. CP Barnhart **seconded** the motion. Motion carried.

ES Young also wanted to update the Board members on the enforcement letters which had been sent out. Those individuals receiving letters were: *James Lawr, DeVries Electric-Larry DeVries, & Michael & Gina Johnson (Permit Required), Country Propane-Terry Davis & Muhlbauer Plumbing, Heating-Tom Muhlbauer, & Kyle Boucher (Permit Required & Cease & Desist), Kevin Seifert, Clark Douglas, Mark Merkis, Donald Flathers, & Electrical Connections & Repair LLC-Don Pittman (Cease & Desist), L&L Electric-Robert Lantz & Murphy Tower Services-Patrick Murphy (Unlicensed person(s) on the job/Improper licensure)*

The next item on ES Young's report was to update the Board on the hiring of a Western Iowa Inspector. An individual had been hired, but resigned from the position, so ES Young informed the Board that he was waiting on a new approval to hire another inspector.

A waiver request had been submitted from Ryan Simmons. Mr. Simmons previously took the exam 6 times without passing, and was seeking Board approval in order to take the exam two more additional times. VC Stoldorf inquired if the candidate could have some kind of special accommodations for the exam, and Assistant Attorney General Lundquist stated that Mr. Simmons would seek that from PSI. VC Stoldorf made a **motion** to **approve the waiver and allow the individual to sit for the exam two more times**. Guthrie **seconded** the motion. After some discussion, VC Stoldorf amended the motion to state that the individual would be allowed to sit for the exam after successful completion of 12 hours of continuing education. Motion carried.

ES Young wanted to discuss with the Board about adding a convenience fee to the permitting and inspection system in order to gain the funds necessary to assist with the purchase of a new licensing program. He said that he had met with DeHeer and VC Stoldorf after the last Board meeting to discuss this. ES Young was seeking Board approval to start passing along these convenience fees to the individuals purchasing the permits. He said in the meantime, he had been working with the OCIO to be able to make some minor improvements to the existing system in order to be able to pass along the convenience fee. After some Board discussion, VC Stoldorf made a **motion** to **allow ES Young to proceed with collecting the convenience fee/percentage fee for permit and inspection fee purchases**. Guthrie **seconded** the motion. AAG Lundquist asked ES Young if he wanted some guidance to determine what the fee would be, and ES Young stated that he did. VC Stoldorf said she had thought that 3% would be appropriate. After some additional discussion, VC Stoldorf said she would **amend her motion** to state **no more than 3% fee**. Guthrie **seconded** the motion again. Motion carried.

The next item on the agenda was to discuss Robert Johnston Jr, but ES Young wanted to wait for Barb Edmondson to arrive to the meeting before discussing that item.

ES Young informed the Board that the electrician license renewals had been completed. He told the Board that we were waiting on information from approximately 30 more contractors before those could be renewed. Claeys inquired if we were waiting on information from any other licensees, and ES Young stated that all other renewals had been taken care of.

The next item on ES Young's report was to update the Board on the Corner Hart Electric-Jonathan Hart settlement agreement/consent order. The information had also been previously submitted to the Board for review. ES Young said he had gotten everything completed on his end, and was waiting on information from Mr. Hart. He said would keep the Board posted of how everything developed, as the deadline was May 31st.

ES Young wanted to update the Board on the State of Texas reciprocity agreement. The Texas Governor wanted to put his signature on the agreement, so it would take a few more months before being finalized.

The next item on the agenda was for ES Young to attend the NERA meeting in Portsmouth, NH with voting rights. ES Young said that in the past, he had traditionally come to the Board and asked if they wanted him to attend. He said that anything he knew of in advance that would need voted on, he would bring to the Board's attention. Cash made a **motion** to **approve ES Young attending the meeting with voting rights**. DeHeer **seconded** the motion. Motion carried.

ES Young turned the meeting back over to CP Barnhart.

CP Barnhart called to turn the meeting over to the subcommittee who had researched the Adoption of the 2017 NEC. The subcommittee was Cash, Meiners, and Claeys. Cash stated that they had exchanged several e-mails, and that there were a few changes to the NEC, which had been included in the packet of information sent to Board members for review.¹ The subcommittee's recommendation was to adopt the code as written, with the proposed amendments, which would be to delete Art. 210.12(D), and Art. 406.4 (D-4). There were some members of the public present, and CP Barnhart invited them to speak regarding the amendments.

The first person to speak was Terry Bennigsdorf, inspector for the City of Des Moines. He was in favor of the proposed amendments to the code. He stated that he did have a concern with 210.8 regarding ground faults in unfinished basements and garages, especially in regards to sump pumps with past history of flooding in Des Moines. He stated that there were people who were adamant who did not want a GFCI installed on their sump pump, and would rather see a single receptacle that was properly grounded and installed so as not to have any problems to worry about as far as property loss.

Dave Sullivan, CEU instructor, also was present with some comments. He stated that he did not agree with the GFCI amendments, because he was more interested in safety than losing property. He said he had some additional issues, but wasn't going to bring them up at this point because he thought they'd be changed at some point in the future anyway. He did mention that he did agree with the AFCI amendments.

CP Barnhart asked if the Board needed to have further discussion. ES Young said the Board needed some action today, which would allow the Board staff to proceed, but it would still allow for possible changes at a later date through public input. CP Barnhart made a **motion** to **move forward with the proposed amendments as written**. Claeys **seconded** the motion. Motion carried.

CP Barnhart called for public comments. Tom Kendrick was present to request consideration for online continuing education classes. ES Young informed him that there were a few online classes currently available from Minnesota Electrical Association. ES Young encouraged Mr. Kendrick to reach out to them regarding online training.

There was a short recess while ES Young attempted to locate Edmondson, without success, ES Young suggested the Board table the review of licensure application for Robert Johnston Jr. because, although the Board was provided some information on the individual, but Edmondson had more details. AAG

¹ Please refer to attachment at the end of the meeting minutes, "Proposed 2017 NEC Amendments from Code Adoption Subcommittee."

Lundquist counseled the Board that they could begin a discussion regarding the license request, and continue another time with Edmondson. The Board had a lengthy discussion and Guthrie made a motion to table the item until the next meeting. DeHeer seconded the motion, and motion carried.

ES Young stated that the individual had been out of prison for a few years, and ES Young had reached out to some of Mr. Johnston's employers to see their thoughts on him, and if they thought there would be any danger to public safety by issuing him an electrical license.

After some lengthy Board discussion, Guthrie made a **motion** to **table further discussion for the next meeting**. DeHeer **seconded** the motion. Motion carried.

CP Barnhart called for additional discussion items. ES Young informed the Board at the next meeting that they would need to vote on Chair and Vice Chair again. There was also a new Board member present, Kathleen Stoppelmoor, and the Board went around the room and introduced themselves.

Meeting adjourned at 11:11 am.

Respectfully submitted,

Beth Feilmeier, Secretary 2

Proposed 2017 NEC Amendments

210.12 Arc-Fault Circuit-Interrupter Protection. Arc-fault circuit-interrupter protection shall be provided as required in 210.12(A), (B), and (C). The arc-fault circuit interrupter shall be installed in a readily accessible location.

(D) Branch Circuit Extensions or Modifications – Dwelling Units and Dormitory Units. In any of the areas specified in 210.12(A) or (B), where branch-circuit wiring is modified, replaced, or extended, the branch circuit shall be protected by one of the following:

- (1) A listed combination-type AFCI located at the origin of the branch circuit
- (2) A listed outlet branch-circuit-type AFCI located at the first receptacle outlet of the existing branch circuit

Exception: AFCI protection shall not be required where the extension of the existing conductors is not more than 1.8 m (6 ft) and does not include any additional outlets or devices.

406.4 General Installation Requirements. Receptacle outlets shall be located in branch circuits in accordance with Part III of Article 210. General installation requirements shall be in accordance with 406.4(A) through (F).

(D) Replacements. Replacement of receptacles shall comply with 406.4(D)(1) through (D)(6), as applicable. Arc-fault circuit-interrupter type and ground-fault circuit-interrupter type receptacles shall be installed in a readily accessible location.

(4) Arc-Fault Circuit-Interrupter Protection. Where a receptacle outlet is located in any areas specified in 210.12(A) or (B), a replacement receptacle at this outlet shall be one of the following:

- (1) A listed outlet branch-circuit-type arc-fault circuit-interrupter receptacle
- (2) A receptacle protected by a listed outlet branch-circuit-type arc-fault circuit-interrupter-type receptacle
- (3) A receptacle protected by a listed combination-type arc-fault circuit-interrupter type circuit breaker

Exception No. 1: Arc-fault circuit-interrupter protection shall not be required where all of the following apply:

- (1) *The replacement complies with 406.4(D)(2)(b).*
- (2) *It is impracticable to provide an equipment grounding conductor as provided by 250.130(C).*
- (3) *A listed combination-type arc-fault circuit-interrupter circuit breaker is not commercially available.*
- (4) *GFCI/AFCI dual function receptacles are not commercially available.*

Exception No. 2: Section 210.12(B), Exception shall not apply to replacement of receptacles.