

State of Iowa Electrical Examining Board Meeting Minutes  
Public Hearing on Administrative Rules ARC 3153C  
(Adoption of the 2017 National Electrical Code)  
August 17, 2017

**Approved**

**Board Members Present**

John Claeys  
Allen DeHeer  
Todd Cash  
Kyle Barnhart, Vice Chairperson  
Marg Stoldorf, Chairperson  
Ron Humphrey, Acting State Fire Marshal  
Kathleen Stoppelmoor  
David Guthrie  
TJ Meiners

**Board Members Absent**

Wayne Engle

**Staff Members Present**

John Lundquist, Assistant Attorney General  
Barb Edmondson, Attorney  
Beth Feilmeier, Secretary 2

Chairperson Stoldorf called the meeting to order at 10:00. The first item on the agenda was the Public Hearing. CP Stoldorf turned the meeting over to Attorney Barb Edmondson. Attorney Edmondson opened the Public Hearing on the Proposed Adoption of Administrative Rule ARC 3153C, the Adoption of the 2017 National Electrical Code, and stated that this was the date and time previously set for the opportunity for members of the public to express both written and verbal comments regarding the Notice of Intended Action.

The first person to speak was Tim McClintock, a regional electrical code specialist with the NFPA. He was present to support the adoption of the 2017 National Electrical Code. He stated that the NEC had been the linchpin of safe expansion of electrical infrastructure in homes, workplaces, institutions, and industrial settings for over 100 years. Mr. McClintock also had a prepared statement that he read in support of the adoption of the updated NEC. He said it was NFPA's hope that the Board would continue to move forward in support of the NEC. (Meiners arrived at 10:03 am.)

The next person present to speak was Don Iverson with the National Electrical Manufacturers Association. He was present to express support for the adoption of the 2017 NEC and read from a prepared statement to define that support. He stated that NEMA had been a long-time supporter of state and local jurisdictions' timely adoption of the most current National Electrical Code, and maintained that a prompt adoption of the updated National Electrical Code was the best way to ensure uniform and up-to-date safety standards for all people.

Attorney Edmondson asked if there was anyone else to make comments, and there were no others who desired to speak. She informed the Board and the audience that the comment period was available

through the end of the day if anyone wanted to submit comments via e-mail or mail. One of the audience members inquired of Edmondson what it meant when she stated that ARC 3153C had been submitted. Edmondson briefly explained the rulemaking process, which required the publishing of the Notice of Intended Action, which was the first step in the process. He inquired as to when the date of the adoption would take place, and Edmondson stated that, with no changes, the rule would take effect sometime in October, which was subject to filing and publication dates.

Edmondson proposed to recess the Public Hearing and to start with the regularly scheduled meeting of the Electrical Examining Board.

CP Stoldorf thanked the audience members for their comments, and recessed the public hearing.

CP Stoldorf stated that the Executive Secretary Brian Young was traveling, and so Secretary 2 Feilmeier would speak in his absence. CP Stoldorf asked if there were any changes to the meeting minutes from the previous meeting. Hearing none, Vice Chair Barnhart made a **motion** to **approve the minutes**. Meiners seconded. CP Stoldorf turned the meeting over to Secretary 2 Feilmeier.

The first item on the Executive Secretary's report was the financial report. Secretary 2 Feilmeier informed the Board to direct any questions they might have regarding the report to ES Young.

The next item on the report was the civil penalty letters. Those individuals receiving civil penalty letters were: **Zach Beck, Alex Inman, Joshua Beck, Caleb Spain, Nicholas McDonald, Rich Doede, Joel Winkel, Jimmy Jensen, Drew Booth, Nathan Guess, Cody Brinck, Gabriel Meis, Eric Parmenter, Brandon Cave, Keanan Elmore, Isaiah Hoegh, Steven Atkinson, Nathaniel Grossman, James Maher, Theodore Breitenkamp, Jonathan Shear, & Salim Jusufovic**. Cash made a **motion** to **approve the letters**. VC Barnhart seconded. Motion carried.

The next agenda item was the enforcement letters. Those individuals receiving enforcement letters from 6-6-17 through 8-4-17 were: **Frontier Tire and Tow, Jason Arens, John Banzhaf, & Delbert McDaniel (Permit Required), Nationwide Home Remodeler- Mike Pagaano Sr. & Jay Huschka (Permit Required & Cease & Desist), Electrical Connections & repair LLC-Don Pittman, Steve Leggett, & Dennis McClarnon (Cease & Desist), Keith Waller & Monti Plumbing-Heating, Electrical-Ted Kraus, Mark Howard, & Drew Smith (Unlicensed person(s) on the job/Improper licensure.)**

The next item on the agenda was a presentation by Franklin Fueling from Gary Saltz. Mr. Saltz thanked the Board for allowing him to appear before them, as he had been present at the last meeting for a brief presentation of the new HDPE fittings used in underground pipes. He stated that they received their UL listing for their underground pipe use, both for the pipes and the fittings. He was requesting variance prior to adopting the 2017 NEC, as the present 2014 NEC does not allow for the installation of the equipment he was proposing, but the 2017 NEC would allow the installation of Franklin's HDPE pipe and fittings. Within the next month they are hoping to start installing this at a new site; they will produce videos of the installation that will be shared with the Board.

After some Board discussion, Claeys asked for some clarification. Meiners asked Attorney Edmondson and Assistant Attorney General Lundquist for some clarification on whether or not this was something that they could do procedurally. AAG Lundquist said that Mr. Saltz was seeking a waiver of the existing rule, and apply the standard that would become applicable upon adoption of the 2017 code. CP Stoldorf asked if legally the Board could do a waiver, and AAG Lundquist stated that they would be replacing the

2014 standard with the 2017 standard temporarily before it was adopted. After some additional Board discussion, Meiners asked AAG Lundquist procedurally how the Board would write the waiver. AAG Lundquist said the Board would substitute the standard of the 2017 NEC for the pertinent section of the 2014 NEC until such time as the 2017 NEC was adopted and enforced. AAG Lundquist stated that it would be a temporary waiver to allow them to get a head start. The Board wasn't sure exactly what specific section of the code to reference in the waiver, so Meiners asked if it could be tabled until he was able to find the information; it was acknowledged that the Board would return to this item, and then continued with the Meeting Agenda.

The next item on the agenda was to review license applications with felonies, of which Attorney Edmondson said she had no information regarding any at the present time.

The next agenda item was an update on the software. CP Stoldorf updated the Board that ES Young had been working with the software companies and obtaining quotes, and ultimately was going to be selecting Vertiba, who had just completed a project for the Professional Licensing Board, so they were experienced with the type of database that was required. CP Stoldorf said that ES Young was in process of discussing with the OCIO, and that he had said he didn't anticipate the approval process to take too much longer. CP Stoldorf stated that PLB seemed so far to be very satisfied with Vertiba, but needed more training time on-site.

The next item for discussion on the agenda was a waiver request from Matt Simonson, who asking to sit for the Journeyman exam two additional times after taking the exam 6 times previously. Mr. Simonson was present to discuss his request. Mr. Simonson stated that he was frustrated with his situation, as he knew what he was doing out the field, but felt that he struggled with actually taking the test. CP Stoldorf inquired if he had taken any study courses, and he said he had taken a few of them. VC Barnhart said that the Board would require taking 12 CEUs on Code before being allowed to test again. CP Stoldorf inquired if he was able to get any sort of accommodation, and AAG Lundquist said he would need to discuss this with PSI. The Board discuss with Simonson that when the new NEC is adopted, the testing will be on the new code. VC Barnhart made a **motion** to **grant the waiver to allow him to test two more times, based on taking the required continuing education**. DeHeer seconded the motion. Motion carried unanimously.

The Board returned to the requested waiver from Franklin Fueling: Meiners made a **motion** to grant a **waiver that would substitute the 2017 NEC Article 514.8 (Underground wiring) in place of 2014 NEC Article 514.8, until the 2017 code took effect**. Claeys **seconded** the motion. Motion carried unanimously.

The next item on the agenda was the public comment period from the meeting. Hearing none, CP Stoldorf asked Attorney Edmondson if the public hearing should resume. Attorney Edmondson re-opened the public hearing to see if there were any additional comments besides those that had been submitted. With no additional comments, Attorney Edmondson closed the verbal comment period, with the written comment period being available until the end of the day.

CP Stoldorf asked for any additional Board business. Hearing none, VC Barnhart made a **motion** to **adjourn**. Meiners **seconded**. Motion carried. Meeting adjourned at 10:40 am.

Respectfully Submitted,

Beth Feilmeier  
Secretary 2