

State of Iowa Electrical Examining Board Meeting Minutes
October 19, 2017
Approved

Board Members Present

Todd Cash
John Claeys
Marg Stoldorf, Chairperson
David Guthrie
Kathleen Stoppelmoor
Allen DeHeer

Board Members Present on Conference Call

Kyle Barnhart, Vice Chair

Board Members Absent

Wayne Engle
TJ Meiners
Dan Wood, State Fire Marshal

Staff Members Present

John Lundquist, Assistant Attorney General
Barb Edmondson, Attorney (arrived at 11:22 am)
Brian Young, Executive Secretary
Beth Feilmeier, Secretary 2

Chairperson Stoldorf called the meeting to order at 10:04 a.m.

The first item on the agenda was the approval of the meeting minutes from the previous meeting held August 17. CP Stoldorf had some suggestions for edits to be made to the minutes. Guthrie made a **motion** to **approve the amended minutes**. Stoppelmoor **seconded**. Motion carried unanimously.

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

The first item on ES Young's report was the financial report from the month of September. He had previously sent the financial report out to the Board members, and gave them some additional information to explain some items on the report.

The next item on the Executive Secretary's report was approval of the civil penalty letters. Those individuals receiving civil penalty letters were: *Andrew Dougherty, Doug Housenga, Benjamin Arsta, Cody Beyer, Michael Armstrong, Brian Williams, Nickolas Carman, William Kounse, Adam McDonough, Blake Towlerton, Mark Hamerlinck, Derrick Carey, Michael Robinson, Ryan Ferkel, Austin Dougherty, Cody Graham, Marcus Wagaman, Ryan Duffee, Shane Gillespie, Justin Gill, Jacob Marlin, Jacob Grandinetti, & Kevin Moore*. Cash made a **motion** to **approve the civil penalty letters**. Claeys **seconded** the motion. Motion carried.

ES Young also updated the Board members on the enforcement letters that had been sent out for permitting or inspection issues. This was for the Board's information only, and required no action. Those individuals receiving enforcement letters were: *Bob Rosener (Permit Required)*, *Best Electric-Brian Whitney (Permit Required & Cease & Desist)*, *Greg Jennings, (Cease & Desist)*, *Interstates Construction-Reith Lowell (Unlicensed person(s) on the job/Improper licensure)*, *Elite Electric-Kevin Lisk, (Unprofessional Conduct)*, *Burke Electric-Chad Behrens, (Permit Required & Improper licensure)*, *Danny Gooch & Edward Stremflow, (Cease & Desist, Improper licensure, Permit Required & Unprofessional Conduct)*

The next item on ES Young's report was an update on the vote to the proposed amendments to the 2017 NEC. ES Young recommended the Board stay consistent with what they had done in the past, which was have ARC 3153C go into effect on January 1, 2018. He informed the Board that any permits were subject to inspection based on the date the permit was purchased, which was the way things had been done in the past. Cash made a **motion** to **accept ARC 3153C with an effective date of January 1, 2018, as written without changes**. Claeys **seconded** the motion. Motion carried.

The next item for discussion was reviewing the possible felony applications. Barb Edmondson had not yet arrived at the meeting, so that item was tabled until she arrived.

ES Young updated the Board members on the new software system, and let the Board know a statement of work had been signed with Carahsoft/Vertiba. He informed the Board that Tyler, the lead software developer from Vertiba, had been in the office this week to start mapping the data, and to input some information into the system to get started. ES Young let the Board know that the new system would take some time to implement, but that everything was running smoothly so far. ES Young said that the timeline for the new system was right now targeting for the middle of April.

The next item on ES Young's report was an update on the renewal process for 1-year licensees, which started on October 1.

ES Young informed the Board that he had received a reciprocal request from the State of Arkansas. He said he hadn't begun any processes yet, as he had wanted to bring the request before the Board first. Claeys inquired if it would be Journeyman only, and Young said that it would be. Cash inquired if their program was similar to ours, and ES Young said that there were some similarities, but there was still a clause in the reciprocity agreement that they still had to meet the State of Iowa licensing requirements, and so that in the event their standards were less, they still had to meet our requirements before obtaining a license. The Board determined that ES Young could proceed with reciprocity discussions, and report his findings to the Board.

The next item on the agenda in ES Young's report was discussion of reviewing/inspection of PV (Solar Photovoltaic) drawings counting as an inspection. He informed the Board that the inspectors had been having some issues with the PV systems, and ES Young suggested that the contractors submit drawings for review, and that way the customer could save some money. ES Young said that if the Board decided that the drawings should be reviewed by Inspectors multiple times, he wanted to know if we could charge an inspection fee for reviewing the drawings. AAG Lundquist stated that the Board was reviewing the drawings to ensure compliance with the code, and asked ES Young what he was thinking as far as the PV drawings went. ES Young said that his thoughts were that if the staff had to review the plans more than twice, at that time the contractor would be charged a \$25 inspection fee to review the plans again. After some additional Board discussion, DeHeer made a **motion** for ES Young to **proceed with his suggestion**. Guthrie **seconded** the motion. Motion carried.

The next item on ES Young's report for discussion was a presentation from JADE Learning for online CEUs. Amy Bonilla with Jade Learning was present to give some information about the classes. She was requesting approval for their online classes to be accepted by the State of Iowa as approved continuing education to count toward a licensee's required continuing education. After some Board discussion, Guthrie made a **motion to accept the request based on the both the instructor and classes still having to be approved by the office.** Cash seconded the motion. Motion carried.

ES Young informed the Board that the 2017 NEC training would be held on January 11, 2018. So far there had been 25 responses received for attendees coming to the training. The training was open only to electrical inspectors, and ES Young let the Board know that there were approximately 100 spots. DeHeer asked if Board members could attend, and ES Young said he would reach out to the instructor for an answer.

ES Young turned the meeting back to CP Stoldorf. The next item on the agenda was discussion of the Southwest Community College Post-Secondary Education Program (PSEP). CP Stoldorf said that the education sub-committee had a meeting with the college last week to try to find a solution for a problem that had arisen with their program, as the original instructor was no longer with the program, and the replacement instructor did not meet the requirements of the PSEP. Therefore, the College was noncompliant for about nineteen months with an instructor possessing a Master Class B electrical license, where a Master Class A Electrician or Journeyman Class A electrical license is mandated. The Subcommittee discussed with and requested Southwestern Community College to notify all affected students of the noncompliant issue as affects their education, and do so by certified mail to insure that the notice was received. The Subcommittee also required the College to allow all affected students to repeat the classes that were presented by an instructor with insufficient credentials, at no expense; further the college is to offer a pre-exam preparation course to these affected students also at no cost. The Subcommittee is presently working with the College on a draft letter that would sufficiently apprise the affected students of the problem and the opportunity for correction, all at no cost.

Bill Taylor, SWCC, was present to discuss the program, and CP Stoldorf and Cash both had some comments on the program. CP Stoldorf wanted to let the Board know what the Education subcommittee was doing, and was just looking for acceptance from the Board to allow the subcommittee to proceed with finding a solution to the school's PSEP issue, and to proceed accordingly.

Stoldorf called for public comments. Dave Sullivan, of Sullivan Training & Consulting, was present, and had a few comments to make. He spoke positively about JADE Learning, and also wanted to mention reciprocity with the other states, as he wanted to ensure that out-of-state licensees had to meet the same requirements as all other licensees.

ES Young updated the Board on the NERA meeting. He said that it had been discussed to use a company called The CEU Broker, which provided tracking of the licensee's CEUs, which there was no charge to the State, but charged the licensees to track their CEUs. ES Young said that he had spoken to one of the states who had a relationship with them and asked how the data was backed up, and was told there was no back-up to the data. He told the Board this made him hesitant to try something like this.

Edmondson arrived at the meeting at 11:22 to discuss the felony letters. Edmondson stated that the Administrative Rule provides that the Board may license someone with a felony conviction, provided that they have been rehabilitated since that time. She stated that the Board would also need to look at the

felony to determine what it was, their behavior since then, and whether or not there was indication that someone continued criminal activity or as a user of illegal substances.

Edmondson said that she had researched the felonies online, and had only focused on felonies with convictions, and also compared the information she found versus the information the applicant had submitted, as sometimes she assumed the applicant didn't know how much information to provide to the Board.

After some Board discussion, AAG Lundquist advised the Board to discuss each felony applicant that was included on this meeting's agenda on a case-by-case basis to determine their outcome. CP Stoldorf asked AAG Lundquist if the Board could give a guideline to the office staff so that some of the felony applications didn't have to come back before the Board. AAG Lundquist said the Board could determine which types of felonies they would be interested in reviewing, and which ones they thought may only need review by Edmondson.

ES Young stated that he would tell the Board what type of license each applicant was applying for, and that would give the Board some kind of baseline. He informed the Board that anyone applying for the Unclassified Person license would always have on-the-job supervision, and the Board could keep that in mind. ES Young also stated that the Board was able to mention the applicant's names because there was nothing confidential being discussed. Edmondson confirmed that this was correct, as all the information was public information. The individuals being discussed were:

Michael Bowman—the Board discussed the various charges against Mr. Bowman, who was applying for an unclassified license. CP Stoldorf asked what would happen when he applied for a higher class of license. ES Young said that in the new system, it would ask the applicants about additional felonies before that type of license would be issued or renewed.

Brady Lewis—the Board discussed the charges against Mr. Lewis, who was applying for an unclassified license.

Lucas Harris—the Board discussed the charges against Mr. Harris, who was applying for an unclassified license.

Randy Cunningham—the Board discussed the charges against Mr. Cunningham, who was applying for an apprentice license. ES Young stated that he was currently registered with the US Department of Labor program.

Randal Johnston—the Board discussed the charges against Mr. Johnston, who was applying for an apprentice license. He was currently in prison, and ES Young said that the Board had previously denied a license for individuals who were currently in prison.

Robert Mason—the Board discussed the charges against Mr. Mason, who was applying for an apprentice license. Edmondson informed the Board that Mr. Mason had not served any time, but rather had served street probation.

Richard Lewis—the Board discussed the charges against Mr. Lewis, who was applying for an unclassified license. Edmondson informed the Board that there was a felony that Mr. Lewis had not disclosed on his application for licensure.

Erik Lippert—the Board discussed the charges against Mr. Lippert, who was applying for a Journeyman Class B license. Edmondson explained that Mr. Lippert had received a vehicle related felony in Illinois, which would not be classified as a felony in the State of Iowa.

CP Stoldorf asked if the Board could discuss guidelines while determining whether or not to grant the applicants a license. CP Stoldorf said she would like to see a guideline stating that if they failed to disclose a felony, they should be not allowed to get a license. CP Stoldorf also stated there was a public safety factor that needed to be taken into account as well.

After some discussion, CP Stoldorf suggested that a felony burglary would also warrant disqualification from obtaining a license. The Board discussed that if the felony burglary occurred over 10 years ago, and the felony had no injuries, and they have had a clean record since then, they could possibly be considered for a license, with Board review.

The Board went back to vote on the license applicants. In regards to Michael Bowman, Guthrie made a **motion to deny licensure**. DeHeer **seconded** the motion. Motion carried.

In regards to Lucas Harris, Guthrie made a **motion to deny licensure**. DeHeer **seconded** the motion. Motion carried.

In regards to Brady Lewis, Guthrie made a **motion to deny licensure**. DeHeer **seconded** the motion. Motion carried.

In regards to Richard Lewis, the Board determined his license has been denied outright due to the established guideline of not disclosing a felony.

In regards to Randy Cunningham, Claeys made a **motion to approve licensure**. Cash **seconded** the motion. Motion carried.

In regards to Randal Johnson, Guthrie made a **motion to deny licensure**. DeHeer **seconded** the motion. Motion carried.

In regards to Robert Mason, Claeys made a **motion to approve licensure**. Cash **seconded** the motion. Motion carried.

In regards to Erik Lippert, Cash made a **motion to approve licensure**. Claeys **seconded** the motion. Motion carried.

ES Young asked the Board for some additional guidance on felony applications. He asked what the Board's wishes were if the felonies were OWI or drug related, and wanted to know the Board's wishes regarding the applications they wanted to see versus those that were acceptable to issue the license.

AAG Lundquist said that what ES Young was looking for was when applications came in, if they fell into the guidelines, the license could be issued, and if they weren't, then they would come before the Board. After some Board discussion, it was determined that the applicant must have had at least seven years since an OWI and had no additional criminal activity, they would not have to go before the Board, and at least ten years since a drug offense with no additional criminal activity.

ES Young inquired about guidelines for burglary felonies, and CP Stoldorf referred to the Board's earlier decision that if a felony burglary occurred over 10 years ago, and the felony had no injuries, and they have had a clean record since then, they could possibly be considered for a license with Board review.

Edmondson did ask ES Young to include a question about any other states applicants had lived in in order to determine if they had committed a felony in another state that they may have not disclosed on their application.

Guthrie made a **motion** to adjourn. Claeys **seconded** the motion. Motion carried, and meeting adjourned at 12:28 pm.

Respectfully submitted,

Beth Feilmeier
Secretary 2