

IDAHO ELECTRICAL BOARD
VIDEOCONFERENCE MEETING

Wednesday – January 25, 2017 – 9:30 a.m. (MST)

Division of Building Safety
1090 East Watertower Street, Suite 150, Meridian
1250 Ironwood Drive, Suite 220, Coeur d’Alene
2055 Garrett Way, Building 1, Suite 4, Pocatello

MINUTES OF THE JANUARY 25, 2017 MEETING

NOTE: The following report is not a verbatim transcript of the discussions at the meeting; however, is intended to record the significant features of those discussions.

Chairman Bob Scott called the meeting to order at 9:30 a.m. (MST)

Board Members Present:

Bob Scott, Chairman
Jeff Wheeler, Vice-Chairman
Rick Stark
Dale Pippitt
Denis Duman
Allan Perman
Greg Eagy
Joe Harbacheck

DBS Staff Members Present:

Chris L. Jensen, Administrator
Ron Whitney, Deputy Administrator
Patrick Grace, Deputy Attorney General
Warren Wing, Electrical Program Manager
Larry Jeffres, Regional Manager, Region 1
Jeff Egan, Regional Manager, Region 3
Gary Sonnen, Regional Supervisor, Region 1
Adam Bowcutt, Regional Supervisor, Region 3
Shelly Farris, Regional Supervisor, Region 3
Terry Blessing, Compliance Program Manager
Renee Bryant, Administrative Assistant 2

◆ **Introduction**

Administrator C. Kelly Pearce retired at the end of December. DBS Regional Manager, Region 3, Chris L. Jensen has accepted the position as Administrator.

◆ **Open Forum**

Photovoltaic Specialty Journeyman License – Daniel Dow, electrical engineer and homeowner, has applied, and been denied, several times to take the specialty journeyman license exam to install photovoltaic systems on his residence, as well as to start up a new business. Although Mr. Dow has provided documentation on his training experience as part of the North American Board of Certified Energy Practitioners (NABCEP) certification, and has over 20 years of experience as an engineer in Idaho, he does not meet the 4,000 hours of work experience required to take the exam. Mr. Dow asked the Board to waive the license requirements for him as a homeowner.

It was suggested Mr. Dow continue to work with the DBS and possibly be placed on the agenda for the next Electrical Board meeting in April.

Currently, homeowners can only perform electrical work inside their homes. Electrical Program Manager Warren Wing stated new language, on the type of electrical work

homeowners will be able perform on their property, has been sent to the 2017 legislature for possible approval. Should the language pass, homeowners will be able to perform solar installations as early as July 1, 2017.

Solar Sites and Safety Issues – Bart Hennefer, Bartco Electric, expressed concerns on the following: 1) Apprentice to journeyman ratio, 2) Electrical power-produced device with no off switch and 3) Insufficient electrical code.

Chairman Scott suggested, and Mr. Hennefer agreed, to discuss the issues under agenda item four (4) *Apprentice Ratio* or agenda item six (6) *Solar Plan Reviews*.

Unlicensed Alarm Companies – Sean Garner, Teton Smart Security, has a growing concern with unlicensed alarm companies advertising to do all aspects of their trade. Mr. Garner's main issue is the installation of cameras.

Chairman Scott suggested, and Mr. Garner agreed, to discuss the topic *Unlicensed Alarm Companies* at the April Board meeting. Prior to the meeting, the Division will provide to the Board and industry supporting documentation.

ACTION: The topic *Unlicensed Alarm Companies* will be placed on the April 26, 2017 Electrical Board meeting agenda as an informational item.

City and County Concerns – There were no items or concerns to discuss.

◆ **Approval of the January 21, 2017 Agenda**

The Chairman called for a motion to approve the agenda.

MOTION: Joe Harbacheck made a motion to approve the agenda as presented. Allan Perman seconded. Vote called. All in favor, motion carried.

◆ **Approval of the October 20, 2016 Board Meeting Minutes**

The Chairman called for a motion to approve the draft minutes.

MOTION: Jeff Wheeler made a motion to approve the minutes as written. Allan Perman seconded. Vote called. All in favor, motion carried.

◆ **Administrative Appeals Hearing**

B & J Electric – NOV ELE1606-0021 – Heath Thomas represented B & J Electric, Electrical Program Manager Warren Wing represented the DBS, and Deputy Attorney General Patrick Grace was the facilitator. Building Safety Inspector/Advisor Andy Rose was a witness for the Division. All parties provided testimony and argument on NOV ELE1606-0021, violation of IDAPA 07.01.11.011.02 “Employees”. The Board upheld the \$400.00 penalty fee and Mr. Thomas was advised of the rights of B & J Electric.

MOTION: Jeff Wheeler made a motion to uphold the Notice of Violation (NOV) as presented. Denis Duman seconded. Vote called. All in favor, motion carried.

ACTION: The Deputy Attorney General will create a Final Order for the Chairman's signature and provide a signed copy to B & J Electric.

Nelson Electric – NOV ELE1607-0013 – Greg Nelson represented Nelson Electric, Electrical Program Manager Warren Wing represented the DBS, and Deputy Attorney General Patrick Grace was the facilitator. Building Safety Inspector/Advisor Aaron Reynolds was a witness for the Division. All parties provided testimony and argument on NOV ELE1607-0013, violation of IDAPA 07.01.11.011.02 “Employees” and 07.01.11.011.04 “Journeyman to Apprentice Ratio”. The Board upheld the \$200.00 penalty fee and Mr. Nelson was advised of the rights of Nelson Electric.

MOTION: Joe Harbacheck made a motion to uphold the NOV as presented. Allan Perman seconded. Vote called. All in favor, motion carried.

ACTION: The Deputy Attorney General will create a Final Order for the Chairman's signature and provide a signed copy to Nelson Electric.

High Country Electric – NOV ELE1608-0099 – High Country Electric had no representatives present to address the matter on NOV ELE1608-0099, violation of IDAPA 07.01.11.011.02 “Employees”. The Board voted to take default in this matter.

MOTION: Rick Stark made a motion to assume High Country Electric defaulted on the appeal. Joe Harbacheck seconded. Vote called. All in favor, motion carried.

ACTION: The Deputy Attorney General will create a Notice of Intent to Take Default for the Chairman's signature and provide a signed copy to High Country Electric.

◆ **Apprentice Ratio**

At a prior meeting, the Board decided third (3rd) and fourth (4th) year apprentices with 4,000 hours of work experience and appropriate schooling would not count in the apprentice to journeyman ratio, on residential jobs only.

Steve Kren, Stephen's Electric, likes the temporary ratio and would prefer to have it be permanent or at least a two-year sunset clause.

The Board is curious on how many individuals have come into the state of Idaho, bought licenses and never bothered to go to school anywhere. Chairman Scott requested the Division provide the number of apprentices currently registered with the DBS and the number of apprentices enrolled in apprenticeship programs statewide.

ACTION: For the April 2017 Board meeting, the Division will provide the number of apprentices currently registered with the DBS, as well as the number of apprentices enrolled in apprenticeship programs statewide.

◆ **Proposed Statute Change**

At October 2016 meeting, the Board approved for the DBS to move forward with proposed statute changes discussed at several 2016 meetings.

Upon further review, the Division and industry have several concerns/issues. They are: 1) Confusion on direction of changes, 2) No definitions, and 3) Not properly vetted.

The Chairman suggested the Board make a motion to withdraw the proposal and the Division provide revisions to the Board for review and possible submission to the 2018 legislature.

In the draft proposal, there is a section referencing homeowners and the type of work they can do on their property. The Board would like that piece to continue to move forward to the 2017 legislature; however, are unsure how to proceed. The Electrical Program Manager was confident a legislator would sponsor that portion. The Chairman offered, if needed, to provide testimony on behalf of the statute change.

MOTION: Denis Duman made a motion to withdraw all changes to the statutes except for Idaho Code 54-1016(2)(a) Exemptions. Dale Pippitt seconded. Vote called. All in favor, motion carried.

ACTION: The Division will bring revised statute changes to future meetings for review by the Board and industry for submission to the 2018 legislature.

◆ **Solar Plan Review**

Within the last year, the Division has seen a significant rise with construction of commercial solar plants and residential units. The DBS will hold a meeting in February to discuss how to improve or change the current plan review process on solar/alternative energy projects.

Bart Hennefer, Bartco Electric, voiced his concerns with improper licensing, supervision and safety on the construction of new solar power-generation plants. Mr. Hennefer suggested the authority having jurisdiction, inspectors and/or Board look further into these issues.

DBS Electrical Inspector Alan Kline stated he has looked at several solar farms Swinerton Builders is building. The projects have met the standards set by Idaho law. He has performed compliance checks and noted several journeymen are on the sites.

Michael Kingsley, Superintendent for Swinerton Builders and Swinerton Renewable Energy, specializes in large-scale photovoltaic solar utility projects across the county. Mr. Kingsley addressed concerns mentioned at today's meeting as well as explained how his systems work.

The Electrical Program Manager explained there is no apprentice to journeyman ratio for photovoltaic trainees. As long as a licensed electrical journeyman supervises, the number of trainees is unlimited.

◆ **Compliance Program Report**

Program – The compliance program continues to be going strong. Without the assistance of the regional supervisors and inspectors, Compliance Program Supervisor Terry Blessing could not do his job.

Public Works – This spring, the Compliance Program Supervisor will meet with the Division's regional managers to discuss public works laws and answer compliance questions.

◆ **Program Manager Report**

Newsletter – The Electrical Program Manager sent a year-end newsletter to all electrical professionals informing them of changes within the Electrical Program, Division and industry.

Meeting – A Solar Collaborative meeting will be held on February 9, 2017, 9:30 a.m. to 12:00 p.m., in the DBS board room. The collaborative will discuss how to improve or change the current plan inspection process.

Training Room – The Division’s Meridian office has a new training room available to anyone who provides continuing education and other industry-related training.

Submersible Pump Legislation – A draft rule on the installation of submersible pumps was distributed. Prior to the proposal going through the 2017 legislature, Senator Robert Nonini, sponsor of the original bill, was able to have the language rewritten to include Article 682 *Bodies of Water*.

The Electrical Program Manager stated the only change in the 2017 National Electrical Code (NEC), with regard to Article 682, is ground fault circuit interrupters protection on submersible pumps and equipment in lakes is for personnel protection, not equipment. The Collaborative is asking for equipment protection, not personnel protection.

2017 NEC – The proposal to adopt the 2017 NEC has passed in both the Senate Commerce and Human Resources and House Business Committees.

DBS Inspectors/CEUs – On a voluntary and monthly basis, DBS inspectors can earn CEU credits by answering 25 questions from the master electrician exam. Each test is different and generated by the Division’s computer system. This will help inspectors stay up-to-date on the code as well as generate discussions on what is taking place out in the field.

◆ **Administrator Report**

The Administrator had to leave prior to his Administrator report; therefore, Deputy Administrator Ron Whitney provided an overview of the Division’s current activities.

Organizational Changes – Briefly addressed was Administrator Jensen’s employment history.

Larry Jeffres, Regional Manager, Region 1, will oversee the Logging Safety Advocacy Group.

Public Information Officer Bill Hatch was the Division’s liaison with the Office of Emergency Management. Upon his recent retirement, School Safety Advisor Mike Munger has taken on that responsibility.

Program Managers will present future proposed rules and testimonies to the legislature.

Jeff Egan has accepted the position as Regional Manager, Region 3. Mr. Egan spoke about his work experience.

Financial Report – Addressed was the Electrical Board Fund, FY 2017 financial statement, as of December 31, 2016.

◆ **Adjournment**

The Chairman called for a motion to adjourn the meeting.

MOTION: Dale Pippitt made a motion to adjourn the meeting. Gary Eagy seconded. Vote called. All in favor, motion carried.

The meeting adjourned at 12:38 p.m. (MST)

BOB SCOTT, CHAIRMAN
IDAHO ELECTRICAL BOARD

CHRIS L. JENSEN, ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

03/07/2017rb

DATE