

**IDAHO ELECTRICAL BOARD
VIDEOCONFERENCE MEETING**

Wednesday – July 26, 2017 – 9:30 a.m. (MDT)

**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 JULY 26, 2017 MEETING

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

Chairman Bob Scott called the meeting to order at 9:34 a.m. (MDT)

Board Members Present:

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

DBS Staff Members Present:

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

◆ **Introduction**

Administrator Chris L. Jensen introduced Deputy Attorney General Spencer Holm as the Division’s new legal counsel.

◆ **Open Forum**

There were no new items or concerns to discuss.

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

◆ **Approval of the July 26, 2017 Agenda**

The Chairman called for a motion.

MOTION: Dale Pippitt made a motion to approve the agenda as presented. Allan Perman seconded. All in favor, motion carried.

◆ **Approval of the April 26, 2017 Board Meeting Minutes**

Unable to complete the draft minutes from the April 26th Board meeting, the Administrative Assistant requested the Board defer the approval of the minutes to the October 25, 2017 Electrical Board meeting.

ACTION: For the October 2017 Board meeting, the topic *Approval of the April 26, 2017 Minutes* will be placed as a consent item on the agenda.

◆ **Administrative Appeals Hearing**

Aleksandr Strizheus -- NOV ELE1703-0026 – Aleksandr Strizheus represented himself, Electrical Program Manager Warren Wing represented DBS, City of Eagle Electrical Inspector Shane Vigil was a witness for the Division, and Deputy Attorney General Spencer Holm was the facilitator. The Deputy Attorney General introduced exhibits A through K into the record. The Electrical Program Manager presented one additional document labeled exhibit L.

MOTION: Joe Harbacheck made a motion to admit the supporting documentation into the record. Allan Perman seconded. All in favor, motion carried.

All parties were sworn in and provided testimony/argument on NOV ELE1703-0026, violation of IDAPA 07.01.11.011.03 “License and Registration”.

The Chairman called for a motion on Aleksandr Strizheus’ appeal NOV ELE1703-0026.

MOTION: Denis Duman made a motion to uphold the appeal. Mark LaBolle seconded. All in favor, motion carried.

Unclear to several individuals, Board Member Duman amended his motion.

AMENDED MOTION: Denis Duman made a motion to uphold the appeal and dismiss the fine. Mark LaBolle seconded. All in favor, motion carried.

With the appeal upheld, the Deputy Attorney General advised Mr. Strizheus his rights and explained he would receive a \$200 refund for the penalty fee he paid prior to the hearing.

ACTION: The Deputy Attorney General will write up the decision of the Board for the Chairman’s signature and provide a signed copy to Mr. Strizheus.

ACTION: The Division will refund the \$200 penalty fee to Mr. Strizheus.

◆ **Reciprocal Agreement with New Hampshire**

With no representation from the state of New Hampshire, the Board moved to the next item *High School Apprentice Training*.

◆ **High School Apprentice Training**

Residential Academy Program – Howard Royal, Blaine County School District Representative, addressed a four-year program titled *Residential Academy*. Students attend industry-related classes, and as seniors, go on-site to construct a house. The school district

would like to expose students to the plumbing, electrical and HVAC trades; however, is unsure the process since apprentice registration is one of the requirements to work in the trades.

Prior to the meeting, Administrator Chris L. Jensen met with the representatives. Rather than go with the standard rules on apprentice/journeyman ratio, etc., the Administrator suggested an educational model. As part of the model, classroom experience would need clarified and instructors to be licensed electrical journeymen.

The Division to set-up a work group of interested parties and bring ideas to the October 2017 Board meeting. One suggestion was to create a secondary education permit for use by the licensed trades. Lacie Hernandez, Department of Labor Representative, offered its services.

ACTION: For the October 2017 meeting, the Division will bring ideas to the Board for review.

ACTION: The topic *High School Apprentice Training* will be an informational item on the October 25, 2017 agenda.

◆ **HVAC Journeyman Supervision**

At the May 10, 2017 HVAC Board meeting, the Electrical Program Manager presented concerns the Electrical Board had with regard to HVAC journeyman supervision.

To ensure HVAC apprentices are not performing electrical work on HVAC units unsupervised, the HVAC Chairman will work with his board to find a solution.

◆ **Apprentice Work Experience**

IDAPA 07.01.03.012.01(d) *Apprentice Electrician--Requirements for Apprentice Electrician* and IDAPA 07.02.03.013.01(b) *Journeyman Electrician--Experience and Education* address the requirements for an apprentice to take the journeyman exam. The language in question is “75% work time”. In addition, each rule states a different agency for accreditation of programs. Confused, the Electrical Program Manager requested clarification.

The rules do not apply to schooling programs, rather state or federal accredited work apprenticeship programs. The Chairman stated it is the Board’s desire for the “75% work time” to apply to everyone, and hoped DBS would further research this topic to determine if the rules need changed.

Another issue is industrial accounts. IDAPA 07.01.01.014 *Electrical Inspection Tag Requirements For Industrial Accounts* states in part, “... Employees performing non-maintenance electrical installations on an Industrial Account must be licensed electrical journeymen ...” Some industrial accounts are using apprentices rather than journeymen.

Again, the Chairman suggested the Division look at this issue and decide how the Board should proceed in order to accomplish the goal of well-rounded apprentices.

One suggestion was to have a new license classification called “Industrial Journeyman”, where an apprentice could earn 100% industrial hours. Another idea was a residential wireman classification.

ACTION: The Division will research the topic *Apprentice Work Experience* to determine if changes need made to clarify the rules.

ACTION: The topic *Apprentice Work Experience* will be an informational item on the October 25, 2017 agenda.

◆ **Apprentice to Journeyman Testing Results (Update)**

The Division is working with Career and Technical Education (CTE) to gather information as it pertains to the results of apprentices taking the journeyman exam for the first time.

The Chairman reiterated the position of the Board is to allow prospective apprentices the ability to look at results of various providers to decide where to go to school based, partially, on how successful the apprentices are when taking the test.

It is the goal of the Administrator to provide a new report at the October meeting.

ACTION: For the October 2017 meeting, the Division will provide a new report on journeyman first exam attempts.

ACTION: The topic *Apprentice to Journeyman Testing Results (Update)* will be an informational item on the October 25, 2017 agenda.

◆ **Apprentice Ratio (Update)**

The Program Manager has not received any calls from contractors requesting their third or fourth year apprentices, with the required on-the-job training and appropriate schooling, work unsupervised on residential jobs.

Detailed information on the temporary change in journeyman to apprentice ratio on residential jobs is on the Division's website. The apprentice is required to carry, on his person, proof by the contractor of at least 4,000 hours of verifiable residential wiring experience, and copies of years one and two certificate of completion by an approved electrical apprenticeship program.

ACTION: The topic *Apprentice Ratio (Update)* will be an informational item on the October 25, 2017 agenda.

◆ **Apprentice Registration Renewal**

Currently, an apprentice must complete at least two years of schooling and worked two years (4,000 industry-related work hours) to renew, first time, the five-year apprentice registration. To renew a second time, an apprentice petitions the Electrical Board for consideration on whether extenuating circumstances exist.

This topic was placed on the agenda as an action item for the Board to direct the Division's Administrator to: 1) Extend original apprentice registration to cover the amount of time extenuating circumstance exists, or 2) Remove the requirement of two years of schooling and 4,000 hours.

Chris Salman, Falco Electric, explained why he has not been able to complete an apprenticeship program over the past 15 years, and asked the Board to allow him to renew his five-year apprentice registration for the second time. The Chairman asked to discuss this issue further before making a decision on Mr. Salman's case.

Suggestions to alleviate problems with the renewal of apprentice registration were: 1) Allow lifetime apprentices; however, require continuing education, 2) Allow apprentices to inactivate their registration, and when inactive, would not count toward the five-year registration, and 3) Apprentices turn in school certificates and work hours on a yearly basis to DBS.

The Chairman asked for guidance from DBS to allow some leeway when apprentices need to renew the five-year apprentice registration. One easy fix would be for apprentices to provide proof of two years of schooling and 4,000 hours of work experience to the Division or get approval by the Board.

The Board was asked to consider Chris Salman's request. Board Member Wheeler was concerned whether Mr. Salman would attend school as required. Mr. Salman agreed to provide proof of registration in an apprenticeship program to the Division prior to renewing his registration.

MOTION: Jeff Wheeler made a motion to allow Chris Salman to renew his five-year apprenticeship registration upon presentation of a paid school receipt to DBS. Allan Perman seconded. Vote called. All in favor, motion carried.

Briefly explaining why an apprentice working for him has not completed the requirements, Jay Symonds, Symonds Electric, asked the Board to allow his apprentice to reregister for the first time. To renew his apprentice's registration, Mr. Symonds will need to make a formal request to the DBS for approval.

The Administrator offered to bring to the October Board meeting wording in rule to clarify the renewal requirements.

ACTION: For the October 2017 meeting, the Division will provide a proposed rule change to refine the criteria for the renewal of apprentice registration.

ACTION: The topic *Apprentice Registration Renewal* will be an informational item on the October 25, 2017 agenda.

◆ **Statute Rewrite**

The Electrical Program Manager brought back revised language on proposed statute changes. The changes were broken down into four items.

Inspector Certification – Currently, to renew an inspector certification, inspectors must submit 24 hours of CEU, as well as fees to an educational testing service. This proposal would allow DBS to self-certify its inspectors as long as they meet the requirements for continuing education. Newly hired inspectors would still need to take and pass the original test before the end of their probationary period.

Master Full-Time Employee – A new subsection in Idaho Code § 54-1002 clarifies the terms for legally using the license of a signing master electrician. It is the objective of the Board to reduce the number of signing master electricians from renting their licenses.

NEC and Statute Clarification – The Electrical Program Manager updated the Board on the changes to Title 54 Chapter 10, Idaho Code.

In Idaho Code § 54-1010(1) and (3), the Chairman questioned why the years, July 1, 1961, and July 1, 1986, were not struck out as seen in § 54-1010(4), Idaho Code. Understanding the dates were part of “grandfather” clauses, they seem obsolete.

The Electrical Program Manager will address the issue of the dates with the Division’s Deputy Attorney General; bringing an answer to the October 2017 meeting.

ACTION: The topic *Idaho Code § 54-1010(1) And (3) Installations By Electrical Contractor Performed By Licensed Journeyman--Prior Certificate Holders Entitled To License--List Of Electricians In Contractor’s Employ* will be an informational item on the October 25, 2017 agenda.

Specialty to Installer – The license type for “specialty electrician” has changed to “limited electrical installer” throughout the statute.

In Idaho Code § 54-1016(3) *Exceptions*, a new subcategory (d) clarifies the electrical installations for fire alarm companies.

◆ **Proposed Rulemaking**

A draft proposal to IDAPA 07.01.06.011 *Adoption And Incorporation By Reference Of The National Electrical Code*, as it pertains to safely installing submersible well pumps in swimming and marine areas, was in the board packet.

Within the rule is a new subcategory, (e) and new article, 225.30(F). The proposal allows one- or two-family dwelling unit(s) with multiple feeders to install up to six disconnects grouped at one location where the feeders enter the building.

◆ **Board Meetings and Continuing Education Units (CEUs)**

The Program Manager asked the Board to endorse the creation of a proposed rule to allow electrical licensees an opportunity to earn one hour of continuing education per board meeting, with a limit of four credit hours in a three-year code cycle.

A suggestion, to verify attendance, would be for licensees to sign in/out before and after each meeting.

MOTION: Greg Eagy made a motion to award one credit hour of CEU per board meeting, up to a maximum of four credits in a three-year code cycle. Joe Harbacheck seconded. All in favor, motion carried.

Raub Owens, Inspector for the city of Twin Falls, once again asked the Division if it would be possible to videoconference future Board meetings from a location in the Twin Falls area.

The Division will look into Mr. Owens' request; however, in the past DBS has had issues in the three additional locations of Lewiston, Twin Falls, and Idaho Falls with teleconferencing. Issues, to name a few, were: 1) Lack of attendance, 2) Shortage of staff to facilitate the locations, and 3) Technical difficulties. At the request of the Chairman, DBS will research Mr. Owen's request.

ACTION: For the October 2017 meeting, the Division will attempt to provide teleconference services in the Twin Falls area.

ACTION: The topic *Board Meetings and Continuing Education Units (CEUs)* will be an informational item on the October 25, 2017 agenda.

◆ **Program Manager Report**

CE Broker – In the past, DBS has kept track of continuing education units (CEU) for journeymen and contractors. The Division has signed a contract with a company by the name of CE Broker. This is a free service for DBS and its users. A compliance-tracking tool lists educational providers and their courses, as well as allows licensees to access official records and view any unmet CE requirements. For an additional fee, the company will keep track of a licensee's CEUs required by other jurisdictions.

Meeting – August 13-19, 2017, the Program Manager will attend a national electrical reciprocal alliance meeting in Massachusetts.

Classes – In September and October 2017, Program Manager Wing will visit nine cities throughout the state and provide free industrial-related CEU classes, as well as an update on the electrical statutes and rules.

Newsletter – Recently, Mr. Wing established a newsletter for the Electrical Program. This is another form of communication between the Division and industry. The newsletter is on DBS's Electrical Program webpage and sent to approximately 10,600 license holders every month.

NOV/CP Report – Provided at each regularly scheduled meeting is a report on the current electrical NOV/civil penalties issued. Board Member Wheeler questioned a company with five active violations. Each offense receives its own Notice of Violation.

◆ **Compliance Program Report**

Personnel – Compliance Program Supervisor Terry Blessing officially retires at the end of July 2017. Amy Kohler, DBS employee for almost 20 years, has accepted the position of Compliance Program Specialist. Regional managers will become more involved in all aspects of compliance and the compliance program specialist will spearhead the program.

Public Works Law – Recently, legislature approved a change in a public works law where school districts and smaller municipalities, doing any single project with an estimated cost of

less than \$50,000, are exempt from requiring a bid or holding a public works contractor license. Originally, the limit was \$10,000 or less. One of the new responsibilities of the regional managers will be to ensure everyone complies with the laws.

◆ **Administrator Report**

Financial Report – The Board’s financials are in good shape and growing rapidly. On Thursday, July 25th, there were approximately 274 permits taken out.

Personnel (Cont’d) – Deputy Attorney General Patrick Grace recently accepted the position of Southwest Idaho Regional Manager with DBS. New legal counsel for the Division is Deputy Attorney General Spencer Holm. Ron Whitney is the Chief of Staff for DBS.

The Customer Resource Team obtained four new employees to assist in the issuance of permits and licenses, as well as inspector support. In addition, there is a new regional supervisor in Twin Falls and new electrical inspector in Meridian. Effective July 1st, the Division had the ability to hire more personnel and a pay increase to \$21.00 for new inspectors.

Paperless Board Packets – Beginning September 2017, board packets will only be available electronically through the Division’s website. This is great cost-savings for the Division’s eight boards.

The Chairman requested when e-mailing the packet to include a reminder hard copies are no longer available.

ACTION: The Administrative Assistant will send a reminder to the Board with the electronic packets stating the paper version is no longer available.

◆ **Adjournment**

The Chairman called for a motion to adjourn.

MOTION: Joe Harbacheck made a motion to adjourn the meeting. Rick Stark seconded. All in favor, motion carried.

The meeting adjourned at 1:22 p.m. (MDT)

JEFF WHEELER, VICE-CHAIRMAN
IDAHO ELECTRICAL BOARD

RON WHITNEY, DEPUTY ADMINISTRATOR
DIVISION OF BUILDING SAFETY

DATE

DATE

09/20/2017rb