

Board of Electricity

Minutes

July 7, 2009

Minnesota Room – Department of Labor and Industry

443 Lafayette Road North, Saint Paul 55155

DLI.CCLDBOARDS@State.MN.US

Members Present:

Douglas Fingerson
Jim Freichels
Willy Hoskins
Kim Huxford
Timothy Malooly
John McConnell
Dick Owen
John Schultz (DLI Commissioner's Designee)
Tom Seanger
Andy Toft
Joe Vespa

Members Available by Teleconference:

None

Members Absent:

Daniel Klein

Staff Present:

Wendy Legge
Annette Trnka
John Williamson
Linda Karwoski

Visitors:

Rebecca Lundberg
Dan Williams
Doug Shoemaker
Bob Sogla
Terry Goyer
David Williams
Dan McConnell
Greg LaFontaine
Jose Vega
Bill Heaney
Steve Peters
Richard Carter
Christopher Jarosch

Visitors (cont.):

Jesse Dahl
Scott Novotny
John Ploetz
Scott Nutting
Judi Rubin
Brian Winkelaar
Bob Messerich
Mike Buck
Steve Franklin
Mike D. (name illegible)
Jeff Ohman
Rick Bienioch
Mike Dufour
Mike Redlund
Doug Suchanek
Billy Janson
Robert Nelson
Mike Krzefowiak
Bob Fitch
Erica Robinson
Ron J. (name illegible)
Rich Wynne
Eliz Mische
Tom Murnan
Tony Maghrak
Carl Madsen
Brandon Romann
Kelly Brosseth
Jerry Schmidt
Carol Anderson
Jim Nimlos
Allen Green
Frank Pivec
Jerry Lilyard
Amanda Nesheim
Christopher Childs
Mike Ahern
Gary Thaden

Visitors (cont.):

Russ Ernst

Terry Towey

Joe Pajari

Charlie Pickard

Dave Baker

Mark Chuba

Todd Fink

Mario Monesterio

I. Call To Order

The meeting was called to order by Chair Freichels at 9:06 a.m. and role was taken.

II. Approval of Meeting Agenda

A motion was made by Owen, seconded by Vespa, to approve the meeting agenda as revised. The vote was unanimous and the motion passed.

III. Approval of Previous Meeting Minutes

A motion was made by Huxford, seconded by McConnell, to accept the previous Meeting Minutes as amended. The vote was unanimous and the motion passed.

IV. Regular Business

A. Expense Approval

- i. A motion was made by McConnell, seconded by Owen, to approve Expense Reports and Per Diems. The vote was unanimous, and the motion passed.

B. Chapter 3800 (Electrical Licensing & Continuing Education)

- i. Update on Proposed Rules – Commissioner Sviggum reviewed the proposed rules currently at the Governor’s office for review. He stated that there has been a high volume of letters and telephone calls to the Governor’s office from individuals and businesses concerned about the aspect of 8 hours of continuing education for unlicensed workers. Discussion took place on whether the Board should call a special meeting to discuss this issue and the compromises which could be reached. Legge stated that the Board’s deadline to publish a notice of adoption for the proposed rules is six months from the date of the ALJ’s Report which was signed April 15, 2009. Vespa, Freichels, Seanger and Malooly volunteered to meet with representatives of the Governor’s office, the industry and the Commissioner to discuss the topic and bring a recommendation back to the Board. This meeting will be held later this month.

C. Minnesota Electrical Code – *Interpretation Request On Photovoltaic Systems* – Rebecca Lundford, business owner, presented in opposition to licensing requirements on installation of solar panels. She passed out a form titled “Minnesota Solar Electric Rebate Application.” Legge stated that the issue before the Board is the interpretation on whether photovoltaic panels are “electrical equipment” under the 2008 NEC, not the how they are installed or by whom they are installed.

Gary Thaden, representing the Minnesota Mechanical Contractor's Association, stated that they feel that photovoltaic panels are classified as electrical equipment as described in the 2008 NEC.

Allen Green, a carpenter, addressed the Board.

Scott Nutting, representing the Contractor Electrical Inspectors Association, addressed the Board.

Dan McConnell, representing the IBEW Local 292, addressed the Board.

Christopher Jarosch, representing the IBEW and Carr Creek Electric Service, addressed the Board.

The meeting took a break at 10:31 and reconvened at 10:55 a.m. Doug Fingerson did not return to the meeting.

John Ploetz, Minnesota Electrical Contractor's Association, addressed the Board.

Carol Anderson, owner of True Blue Electric, addressed the Board.

Ralph Jacobson, owner of Innovated Power Systems, addressed the Board.

Michael LeBeau from Duluth, MN addressed the Board.

Bob Messerich with Life Cycle Building Group addressed the Board.

Mario Monesterio addressed the Board.

Richard Carter addressed the Board.

Toft made a motion, seconded by Owen, that the Board interprets the State Electrical Code as follows: Solar Photovoltaic Systems, including photovoltaic panels and their associated components, are electrical equipment under the State Electrical Code. The vote was Freichels, Vespa, Hoskins, Seanger, McConnell, Toft, Huxford, and Owen. Schultz and Malooly abstained. The majority ruled and the motion passed.

Seanger made a motion, seconded by Owen, to have the Board Chair sign a Final Interpretation and arrange for publication in accordance with MN Statutes, Section 326B.127. The vote was unanimous and the motion passed.

D. Continuing Education – None

E. Enforcement

- i. Quarterly Update – The Department of Labor and Industry's quarterly enforcement report was reviewed.

V. Special Business

- A. Election of Officers – the meeting was turned over to the Commissioner’s Designee, Schultz.
 - i. Chair – Seanger nominated Joe Vespa for Chair. There were no further nominations. The vote was unanimous and Vespa was elected Chair.
 - ii. Vice Chair – Freichels nominated Kim Huxford for Vice Chair. There were no further nominations. The vote was unanimous and Huxford was elected Vice Chair.
 - iii. Secretary – Freichels nominated Anthony Toft. There were no further nominations. The vote was unanimous and Toft as elected Secretary.
- B. Reciprocal agreement(s) – The meeting was turned over to newly elected Chair Vespa.
 - i. Update on MN State Master Reciprocity Agreement (with ND, NE, SD) Schultz stated that he had communication with Nebraska, who has signed the Reciprocal Agreement, and North Dakota states they will be mailing the Reciprocal Agreement within the next few days. Schultz stated he will follow up with South Dakota to find out their status.
 - ii. Update on South Dakota’s ICC exam - None
 - iii. Update on Multi State Reciprocity Agreement – The Multi State Reciprocity’s annual meeting is to be held in August. Schultz will not be attending this meeting.

VI. Committee Reports

- A. Construction Codes Advisory Council – Tom Seanger gave an update on the Council meeting which was held on June 18, 2009.
 - i. Choose Alternate to CCAC – Freichels made a motion, seconded by Owen, to appoint Hoskins as Seanger’s alternate on the Construction Code Advisory Council. The vote was unanimous and the motion passed.

VII. Complaints

There have been no complaints to the Board.

VIII. Open Forum

Gary Thaden thanked the Board for their interpretation of the submitted request. Jim Nimlos addressed the Board regarding the discussion on the use of the word “demarcation” which was used during the photovoltaic discussion. He stated there isn’t a “demarcation” with solar panels, as there is no separation of low voltage from high voltage.

IX. Board Discussion

Schultz stated that as a result of Richard Owen’s resignation on the Board, there is an open appointment for which the soonest an appointment for a replacement to the Board could be is Friday, August 7th, not taking effect until Mr. Owen’s date of resignation. The application for the open appointment on the Board can be obtained on the Secretary of State’s website. The deadline for submitting an application to be a member on the Board is July 28, 2009.

Owen stated that at the annual meeting of the NFPA; NFPA 99 was been sent back to Committee and the process will have to be started over again. Amendments to the 2011 National Electrical Code Article 517 may be affected by this action.

Freichels stated that the Commissioner is setting a tentative date of July 28, 2009, for the Committee discussion of proposed rules on Chapter 3800.

X. Announcements

A. Next Regularly Scheduled Meetings

- i. Tuesday, August 4, 2009, 9:00 a.m. – Minnesota Room, DLI
- ii. Tuesday, September 8, 2009, 9:00 a.m. – Minnesota Room, DLI
- iii. Tuesday, October 13, 2009, 9:00 a.m. – Minnesota Room, DLI

XI. Adjournment

A motion was made by Freichels, seconded by Hoskins, to adjourn the meeting of the Board of Electricity, the vote was unanimous and the motion passed. The Board adjourned at 12:16 p.m.

Respectfully Submitted,

Anthony Toft

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