

Electrical and Elevator Board
Meeting minutes
March 24, 2016

- Members present:** Michael Weaver, electrical contractor, Chair
Heather Miller, journeyman electrician, Vice-chair
Thomas Faires, elevator manufacturing
Scott Hall, electrical equipment supplier
Joseph Pugh, public member
Robert Pyne, journeyman elevator installer
Randy Smith, electrical inspector
James Totten, electrical contractor
Steven Trapp, electrical contractor
- Members absent:** Timothy Frew, journeyman electrician
Vacant, building official
Vacant, commercial underwriter
Vacant, electrical equipment manufacturing rep
Vacant, industrial plant employing electricians
Vacant, power and light industry
- Staff present:** Brett Salmon, manager, Policy and Technical Services
Andrea Simmons, manager, Enforcement Services
Keith Anderson, electrical program chief, Policy and Technical Services
Shawn Haggin, electrical program assistant chief, Policy and Technical Services
Roseanne Nelson, assistant manager, State Inspection Services
Warren Hartung, elevator program chief, State Inspection Services
Alana Cox, senior policy advisor, Policy and Technical Services
Adam Blechman, contested case representative, Enforcement Services
Dan Wittekind, investigator, Enforcement Services
Bill Huston, investigator, Enforcement Services
Richard Baumann, policy analyst, Policy and Technical Services
Debi Barnes-Woods, boards administrator, Policy and Technical Services
- Guests present:** Nathan Philips, NECA
Cindy Regier, executive director, IEC
Randy Carmony, IUEC Local 23
RJ Roberts, Cosie Cascade
Mike Freese, Associated Oregon Industries
Steve Lyon, Boise Cascade
Ralph Sapevsten, Boise Cascade
Mike Smith, Boise Cascade
John White, Boise Cascade
Nancy Thoiayter, City of Portland
Brian Crise, City of Portland
Terry Whitehill, City of Portland

I. Board business

A. Call to order

Chairman Michael Weaver called the Electrical and Elevator Board meeting of March 24, 2016, to order at 9:31 a.m. The meeting was held at the Building Codes Division in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Timothy Frew was absent excused. James Totten was connected by teleconference.

The Electrical and Elevator Board has the following five vacancies: Building official, commercial underwriter, electrical equipment mfr. representative, industrial plant representative, and power and light industry.

C. Approval of the agenda and order of business

Chair Weaver **RULED** the agenda and order of business approved.

D. Approval of the board meeting minutes of January 28, 2016

Chair Weaver **RULED** the board meeting minutes of January 28, 2016, final.

E. Date of the next regularly scheduled meeting: May 26, 2016

F. Formal farewell to board members:

- James Fahey, fire and casualty underwriter – Served since December 2006
- Sherry Sherman, electrical equipment manufacturing industry – Served since September 2001

Leaving members were not present to accept their certificates from the governor, but chair Weaver reminded everyone that board positions are filled with volunteers and the time put in for all positions are greatly appreciated.

II. Public comment - None

III. Reports

A. Division update

Brett Salmon, manager, Policy and Technical Services, also thanked the two leaving members for their dedicated service as board members.

Manager Salmon introduced Alana Cox, senior policy advisor, Policy and Technical Services.

B. Electrical program update

Keith Anderson, electrical program chief, presented and discussed two items:

- Conditioned license – A conditioned license card (which is yellow) is now issued to licensees who have final enforcement orders with certain restrictions. Those restrictions must be satisfied prior to receiving an unrestricted active license. Once all conditions are satisfied, the division is contacted in order to receive an unrestricted active license.
- ADU disconnect requirement – Chief Anderson discussed and provided examples of three recent ADU appeals.

Terry Whitehill, building official for City of Portland, said the Portland zoning code defines an accessory dwelling unit as a smaller, secondary dwelling unit on the same lot or within a house, attached house or manufactured home. The unit includes its own independent living facilities with provisions for sleeping, cooking, and sanitation, designed for residential occupancy independent of the primary dwelling unit. The unit may have a separate exterior entrance or an entrance to an internal common area accessible to the outside. He said that the feeder disconnect for the ADU should be on the exterior or in a common area accessible to the ADU occupant. Mr. Whitehill distributed information with this information.

Chair Weaver suggested that because of the additional information submitted by City of Portland, a workgroup should convene to evaluate the additional information.

Steven Trapp agreed with the chief's decision on the ADU appeals. He said that the chief's decision noted that all code requirements met minimum safety standards. An additional tap would be required from the meter for disconnect, which would require the work of a licensed electrician and may cause additional unnecessary charges to the tenant.

Nathan Philips, NECA, agreed with the chair's suggestion to form a workgroup because cities are promoting higher density use to reduce urban growth bounties. He wondered whether existing code may not have contemplated this type of change.

Chair Weaver suggested the division form a workgroup based on new information provided by City of Portland related to ADU disconnects. Chair Weaver volunteered to be a member.

- Supervisor pre-exam review - Shawn Haggin, electrical program assistant chief, asked whether the board expects him to correct a calculation when reviewing curriculum for the supervisor pre-exams.

Chair Weaver said that the assistant chief can direct the instructor to the types of correct calculations in order to pass the supervisor exam, but it is not the assistant electrical chief's responsibility to correct specific calculations.

C. Elevator program update

Warren Hartung, elevator program chief, State Inspection Services, reviewed the elevator inspection chart for overdue inspections. He discussed some minor accidents related to elevators.

D. Summary of enforcement actions previously taken by the division outlined on the enforcement board report (*No board action required*)

Cases included in this report were informational.

E. Revocation and conditioning of licenses in the matter of Bates Industries Inc. dba G & E Electric Inc. (No Board action required)

Cases included in this report were informational.

F. Consideration of Allen R. Patton assessed civil penalties

Adam Blechman, contested case representative, Enforcement Services, presented a letter from Doris Olivan, DCBS Central Services, collection manager, which stated that Mr. Patton's income is protected and the state is unable to garnish for payment.

Mr. Blechman said that Mr. Patton is asking for settlement by requesting a reduced penalty from \$6,000 to \$3,000 with the amount split evenly between this board and the State Plumbing Board.

Motion by vice-chair Heather Miller to approve the request on the condition that Mr. Patton is only allowed a license if he pays all fees.

Motion carried unanimously.

G. Consideration of Scott Koller assessed civil penalties

Adam Blechman, contested case representative, presented another letter from Doris Olivan, DCBS collection manager, indicating that Mr. Koller's income is also protected and the state is unable to garnish for payment. Mr. Koller is requesting a settlement by reducing the penalty from \$2,500 to \$1,000.

Motion by Steven Trapp to approve the request on the condition that Mr. Koller is only allowed a license if he pays all fees.

Motion carried unanimously.

IV. Communications - None

V. Appeals - None

VI. Unfinished business

Board review and provide a recommendation on proposed amendments to OAR Chapter 918 Division 309 Multi-Family Electrical Fees

Tyler Larson, policy analyst, Policy and Technical Services, brought amendments to proposed rules back to the board for review from its November 2015 meeting.

Mr. Larson presented clarifications to the proposed amendments after receiving feedback from stakeholders during the public comment period outlined in the board memo.

Motion by vice-chair Miller to recommend the division proceed to final adoption of proposed amendments to OAR Chapter 918 Division 309 as presented with no further changes.

Motion carried unanimously

VII. New business

A. Review and approve committee's recommendation on new continuing education courses and instructors

Shawn Haggin, electrical program assistant chief, said the continuing education

committee continues to meet to review new instructor applications and course applications.

Motion by Steve Trapp to approve committee's recommendations for approval or denial of courses or instructors.

Motion carried unanimously.

B. Electrical license request – Boise Cascade

Boise Cascade requested the board consider special licensure for out-of-state journeyman electricians. John White, regional manager, Boise Cascade, asked the board to approve a 6-month temporary license for out-of-state journeymen electricians because of the shortage of qualified workers in Oregon.

Mike Freese, Associated Oregon Industries, said that Associated Oregon Industries supports Boise Cascade's request for out-of-state journeymen to work in Oregon for a limited amount of time while taking steps to meet Oregon's licensure requirements.

Steve Lyon, human resource manager, Boise Cascade, said the problem will still exist if the proposal is not approved. The manufacturing facilities are short-handed of journeymen licensed electricians.

Nathan Philips, NECA, suggested a board-approved workgroup to develop possible solutions. He said that any licensure change would require a rule change.

Chair Weaver said licensing laws are very important to members but he does understand the problem and suggested that the division form a workgroup to address possible solutions.

IX. Announcements – None

X. Adjournment

Chair Weaver adjourned the meeting at 11:30 a.m.

Respectfully submitted by Debi Barnes-Woods, boards administrator/coordinator