

**Electrical and Elevator Board**  
**Meeting minutes**  
May 28, 2015

**Members present:** Michael Weaver, electrical contractor, Vice-chair  
James Fahey, commercial underwriter  
Thomas Faires, elevator manufacturing  
Timothy Frew, journeyman electrician  
Scott Hall, electrical equipment supplier  
Heather Miller, journeyman electrician  
Joseph Pugh, public member  
Robert Pyne, journeyman elevator installer  
Randy Smith, electrical inspector  
Steven Trapp, electrical contractor  
James Totten, owner/manager of a commercial office building

**Members absent:** Sherry Sherman, electrical equipment manufacturing rep  
Vacant, building official  
Vacant, industrial plant employing electricians  
Vacant, power and light industry

**Staff present:** Brett Salmon, manager, Policy and Technical Services  
Keith Anderson, electrical program chief, Policy and Technical Services  
Shawn Haggin, electrical program assistant chief, Policy and Technical Services  
Jeff Starkey, assistant manager, Statewide Inspection Services  
Roseanne Nelson, assistant manager, Statewide Inspection Services  
Warren Hartung, elevator program chief, Statewide Inspection Services  
John Adams, contested case representative, Enforcement Services  
Judith Moore, policy analyst, Enforcement Services  
Richard Baumann, policy analyst, Policy and Technical Services  
Todd Smith, senior policy advisor, Policy and Technical Services  
Debi Barnes-Woods, boards coordinator, Policy and Technical Services

**Guests present:** Dustin Moul, Distinct Electric  
Leo Doyle, Doyle Electric  
Brett Welland, City of Portland  
Martin Mulder, self  
Rod Belisle, NIETC  
Cindy Rejuir, IEC  
Nathan Philips, NECA  
Randy Carmony, Local 23  
Loren Burnham, ATD/BOLI

**I. Board business**

**A. Call to order**

Acting Chairman, Vice-chair Michael Weaver, called the Electrical and Elevator Board meeting of May 28, 2015, to order at 9:40 a.m. There was a delayed start because of technical issues. The meeting was held at the Building Codes Division

in Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

**B. Roll call**

Sherry Sherman was absent excused.

The Electrical and Elevator Board has the following three vacancies: Building official, power and light industry, and industrial plant representative.

**C. Approval of the amended agenda and order of business**

The following items were added to the agenda:

- I.G. Welcome new member Joe Pugh
- VII.F. Review proposed amendments to OAR 918-271-0040

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

**D. Approval of the board meeting minutes of March 26, 2015**

Acting Chair Weaver **RULED** the board meeting minutes of March 26, 2015, approved as written.

**E. Date of the next regularly scheduled meeting: July 23, 2015**

**F. Formal farewell to board member Thomas Lindberg, public member position**

The division and the board thanked Mr. Lindberg for his long and dedicated service on the board and his service as member on several committees.

**G. Welcome new board members:**

- Randy Smith, electrical inspector position  
*(This item was part of the amended agenda)*
- Joe Pugh, public member position

**I. Public comment - None**

**III. Reports**

**A. Division update**

Brett Salmon, manager, Policy and Technical Services, said there was no new news to report.

**B. Electrical program update**

Keith Anderson, electrical program chief, Policy and Technical Services, said the division continues to provide training for inspectors to ensure the OIC requirements are being met. He also said a stakeholder's meeting is scheduled for June 2, 2015, with Tom Phillips, manager, regional & local government relations, Regional Program Services, and Aaron Yuma, central regional coordinator, Regional Program Services, at Wallowa County to review the Building Inspection program.

Shawn Haggin, electrical program assistant chief, questioned whether the licensure requirements were still accurate for the current reciprocal agreements.

The board requested a summary of those agreements for the next scheduled meeting.

**C. Elevator program update**

Warren Hartung, elevator program chief, Statewide Inspection Services, reviewed the accident report summary noting that there was a decrease in accidents during this reporting period.

**D. Consideration of final order in the matter of Randy A. Lapham: Case No. C2014-0119**

John Adams, contested case representative, explained that the division issued a notice of proposed assessment of civil penalties and later amended the order, issuing an order to cease and desist to Randy A. Lapham for engaging in the business of an electrical contractor, making electrical installations without an electrical license, and having no electrical permit. Mr. Lapham requested a hearing and the administrative law judge found in favor of the board.

He also said this case went before the State Plumbing Board at its April 16, 2015, meeting for the plumbing violations.

**Motion by James Totten** to issue a final order and adopt the proposed order with the corrections of the scrivener's errors.

**Motion carried unanimously**

**E. Consideration of final order in the matter of Shane Rowley: Case No. C2014-0203**

Judith Moore, enforcement policy analyst, explained that the division issued a notice of proposed assessment of civil penalties and order to cease and desist to Mr. Rowley for engaging in the business of an electrical contractor and for allowing an unlicensed individual to perform electrical work. Mr. Rowley requested a hearing and the administrative law judge found in favor of the division.

**Motion by Thomas Faires** to issue a final order and adopt the proposed order for Shane Rowley, dba Quicknet Computers with no changes.

**Motion carried unanimously**

**F. Consideration of settlement agreement in the matter of Distinct Electric, Inc. and Dustin Moul: Case Nos. C2014-0263 and C2015-0010**

Judith Moore said both Dustin Moul and Distinct Electric are second-time violators. The penalties now include stayed penalty amounts from previous violations and one-year suspensions of the contractor's license and supervisor's license. Mr. Moul expressed his regret for using an unlicensed individual and explained their revised business plan.

Acting Chair Weaver was in favor of the proposed settlement amount with the condition that the Respondent agrees to submit quarterly reports to the division.

Manager Simmons asked if the board needed to see the order or if the section can execute the order then report back to the board at a later date.

**Motion by Steven Trapp** to accept the proposed reduced penalties without suspension of the licenses with the agreement that the respondents submit quarterly reports to the division using similar language from previous settlement cases and proceed with executing the order.

**Motion carried unanimously**

**G. Consideration of settlement agreement in the matter of Doyle Electric, Inc. and Leo Doyle: Case Nos. C2015-0061 and C2015-0064**

Judith Moore explained Doyle Electric, Inc., and Leo Doyle are second-time violators.

Mr. Doyle expressed his regret for using an unlicensed individual and said he will be very observant in the future.

Acting Chair Weaver was in favor of the proposed settlement with requiring the past stayed amounts be paid in full, pay half of the new penalties and no license suspensions with the condition that the Respondents agree to submitting quarterly reports to the division that includes language from previous board meetings on similar cases.

**Motion by Steven Trapp** to require the past stayed amounts paid in full, pay half of the new penalties with no license suspensions with the agreement that the Respondents submit quarterly reports for one year to the division, using similar language from previous settlement cases and proceed with executing the order.

**Motion carried unanimously**

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

Cases included in this report were informational.

**I. Electrical supervising license revocation and a journeyman license suspension (*No board action required*)**

Cases included in this report were informational.

**J. Consideration of Jerry Abel dba Abel's Electric assessed civil penalties**

Andrea Simmons, manager, Enforcement and Training Section, discussed the history with these cases. She noted violations in 2004, 2005 and in 2006 all Mr. Abel's electrical licenses were revoked. The cases were sent to the state's Financial Services Section for collection. Mr. Abel requested a settlement with the Financial Services Section to pay \$800.00 to close the cases.

Acting Chair Weaver suggested the board accept the offer with the agreement that Mr. Abel may not obtain a supervisor's license.

**Motion by Timothy Frew** to accept Jerry Abel's settlement offer of a one-time payment of \$800.00 with the caveat that Mr. Abel cannot obtain a general supervisor's license.

**Motion carried unanimously**

**IV. Communications - None**

**V. Appeals** - None

**VI. Unfinished business** - None

**VII. New business**

**A. Review and approve continuing education courses and instructors**

Richard Baumann, policy analyst, Policy and Technical Services, said the continuing education committee continues to meet to review new instructor's applications and course applications to ensure that both meet the guidelines for approval.

**Motion by James Totten** to approve committee's recommendations for approval or denial of courses or instructors.

**Motion carried unanimously**

**B. Board review and provide a recommendation for retroactive approval of NEC Code Calculations for Motor and Transformers class taught February 7 and Electrical Safety/NFPA 70E class taught February 28, 2015**

**Motion by James Totten** to approve the request from Portland Community College for retroactive approval of course credits and instructors.

**Motion carried unanimously**

**C. Board review and provide a recommendation for retroactive approval of CPR/AED/First Aid classes held through International Paper Springfield Mill February 17, 18, and March 7, 2015**

**Motion by Timothy Frew** to approve the request from International Paper Springfield Mill for retroactive approval for a course taught February 17, 18, and March 7, 2015, and for the instructor.

**Motion carried unanimously**

**D. Request received from Martin J. Mulder to consider license equivalency to sit for the general journeyman examination**

Mr. Mulder completed an apprenticeship and passed the exam approved by New Zealand Electrical Workers Registration Board in 1985, and submitted documentation of his work history as a licensed electrician in New Zealand from 1986 to 2014. Mr. Mulder stated the major differences between the two codes are the terminology, but in general the meanings are the same.

**Motion by Steven Trapp** to allow Mr. Mulder to sit for the general journeyman examination pending employment verification completed by the division.

**Motion carried unanimously**

**E. Board review request from Oregon Solar Energy Industries Association (OSEA) to make a change to the renewable energy electrical fee schedule**

Acting Chair Weaver explained that OSEA is requesting a change the electrical fee schedule to increase the kw size from 0 to 8 for residential structures.

OSEA provided a handout for the board that asserted the restructured fee schedule would decrease the cost of permits for residential structures.

The board was not in favor of approving a change because of the minor savings compared to the significant costs to implement for 130 jurisdictions to update forms and for 60 ePermitting jurisdictions to update their systems.

**Motion by Steven Trapp** to deny the request to change the residential fee schedule because the change for savings would not justify the cost.

**Motion carried unanimously**

*(This item was part of the amended agenda)*

**F. Review and provide a recommendation to proposed amendments to OAR 918-271-0040**

Tyler Larson, policy analyst, noted the proposed amendments are to the mandatory inspection provisions for electrical installations. He said the division was made aware that the current rules were being misinterpreted in a manner that was causing delays to inspections and approvals. The proposed rules provide clarity for inspectors about what and how to complete the inspections. The proposed rule also allows greater flexibility by allowing the permit holder to be present at the time of inspection.

Keith Anderson, electrical program chief, added that the rules were also amended to include an update for inspectors to test the arc-fault circuit interrupters (AFCIs).

Brett Welland, City of Portland, suggested additional language allowing additional time for the permit holder to be present at the time of inspection “on a case-by-case basis.”

Board members felt comfortable with the amendments proposed because of the input received from industry and the division. Because Mr. Welland’s suggested changes are now part of the permanent record, it was suggested that he propose his change at the public hearing in order to give industry a chance to respond.

Nathan Philips, NECA, said that the intent of the proposed language was to allow additional time for the final inspection for projects that may require an additional individual to be present for the inspection.

**Motion by Steven Trapp** to recommend that the division move forward to rulemaking as proposed.

**Motion carried unanimously**

**IX. Announcements - None**

**X. Adjournment**

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

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