

Meeting Minutes
ELECTRICAL COMMISSION
308 S. Pierre St. Pierre, SD
May 27, 2020 at 8:30 A.M. CDT

President Lyons called the meeting to order at 8:30 a.m. JJ Linn, Executive Director called the roll.

Members Present via conference call: Sean Lyons, Rick Cronin, Dave Eide, Doug Fuerst, John Hoffman, Duane Mergen, and Russ Vanderwerff.

Others Present via conference call: JJ Linn – Executive Director, Roxie Mobley – Office Secretary, Graham Oey – Legal Counsel, Mike Harsma – South Dakota Housing Development Authority, Cesar Lujan – National Association of Home Builders, Todd Boots – South Dakota Home Builders Association, Tony Jockheck – South Dakota Home Builders Association, Tim McClintock – NEMA, Don Iverson - Schneider Electric/Square D, David Smith – Eaton, and Larry Kippes – City of Sioux Falls.

The meeting agenda was presented. President Lyons requested additions or comments on the agenda. Director Linn requested item F be noted as 20:44:14:01 (12). President Lyons declared the agenda correct as amended.

The April 21, 2020 Commission minutes were presented. President Lyons declared the minutes correct as presented as no comments were received from members.

President Lyons opened the floor to public input.

Mike Harsma – South Dakota Development Authority – The Authority agrees with the SDHBA request for exemptions as the rules as written will have a negative effect on affordable housing.

Tim McClintock – NEMA – Supports the NEC 2020 as written. States the Commission has already ruled on the NEC on 4/21/20 after consideration of opponent and proponent testimony. Applauds the Commission and urges the Commission to maintain its original position of adopting the code without amendments as the record speaks for itself showing communities accept a level of public safety while supporting the latest technological advances.

Cesar Lujan – National Association of Home Builders – Speaking in support of the proposed amendments and will continue to support as written those amendments that were supported and submitted by the SDHBA.

Tony Jockheck – South Dakota Home Builders Association – In support of the reverted rules with the amendments which were provided.

Don Iverson – Square D – Stands in opposition to making amendments to the South Dakota electrical code as many of these amendments serve a great public safety and stands in support of the original direction of the Commission to adopt the 2020 code without amendments.

David Smith – Eaton – Commends the Commission for adopting the NEC 2020 unamended.

Old Business:

- President Lyons stated there is no old business on the agenda.

New Business:

President Lyons requested Director Linn to review the reverted rule 20:44:14:01 (12).

Director Linn presented the reverted rule 20:44:14:01 (12) "National Electrical Code," the **National Electrical Code**, published by the National Fire Protection Association (2017 2020 edition) with the following exceptions:

(a) Sections 210.8(F), 230.67, and 230.85;

(b) Article 100 – definitions - remove the new word "machinery" from the definition of "equipment";

(c) The words "through 250-volt" are changed to ", single-phase, 15- and 20-ampere" in section 210.8(A);

(d) The word "Basements" is changed to "Unfinished portions or areas of the basement not intended as habitable rooms" in section 210.8(A)(5);

~~(b)~~ (e) Eliminate GFCI and AFCI requirement for life support equipment and like/similar equipment as determined by Authority Having Jurisdiction;

~~(e)~~ (f) Clarify section 334.10. Uses permitted. Type NM, Type NMC, and Type NMS cables may be used in the following structures:

(i) One- and two-family dwellings and accessory structures;

(ii) Multifamily dwellings, farmsteads, and accessory structures of Types III, IV, and V construction except as prohibited in 334.12; ~~and~~

(iii) Other structures permitted to be of Types III, IV, and V construction except as prohibited in 334.12. Cables shall be concealed within walls, floors, or ceiling that provide a thermal barrier of material that has at least a 15-minute thermal finish rating as identified in listing of fire-rated assemblies; and

(g) The words "a zone measured 900 mm (3 ft) horizontally and 2.5 m (8 ft) vertically from the top of the bathtub rim or shower stall threshold. The identified zone is all-encompassing and shall include the space" are changed to "or" and the words "the tub" are changed to "a bathtub" in section 406.9(C);

President Lyons requested a motion to approve the reverted rule, with the following change. In subdivision 12, sub (a), remove "and 230.85" and place an "and" between 210.8(F) and 230.67. John Hoffman made the motion. Russ Vanderwerff seconded the motion. Commission conducted discussion.

John Hoffman made a motion to amend the original motion by striking: ", with the following change. In subdivision 12, sub (a), remove "and 230.85" and place an "and" between 210.8(F) and 230.67". Motion to amend died for a lack of a second.

Commission continued discussion on the original motion.

Rick Cronin made a motion to remove item (d) from the list of exceptions. Duane Mergen seconded the motion. Commission conducted discussion on the amendment. A roll call vote was held on the motion to amend. **AMENDMENT PASSED.** (Cronin-aye, Eide-aye, Fuerst-aye, Hoffman-nay, Mergen-aye, Vanderwerff-aye, Lyons-aye).

Commission continued discussion on the original motion as amended.

John Hoffman called the question on the original motion as amended. A roll call vote was held on the original motion as amended. **MOTION AS AMENDED PASSED.** (Cronin-aye, Eide-aye, Fuerst-aye, Hoffman-aye, Mergen-aye, Vanderwerff-aye, Lyons-aye).

President Lyons requested Director Linn to review the reverted rule 20:44:15:07.

Director Linn stated the reverted rule previously had the language “waive any continuing education requirements or” in the second line. Those words were removed, and the word “temporarily” was added before “extend any deadline”. Director Linn noted we were attempting to provide room in rule which would allow the Commission latitude on deadlines. The previous language was not acceptable to IRRC as in their opinion it was over and above the Authority we had in statute.

Duane Mergen made a motion to approve the reverted rule as presented. Dave Eide seconded the motion. Commission conducted discussion. **MOTION PASSED.** (Cronin-aye, Eide-aye, Fuerst-aye, Hoffman-aye, Mergen-aye, Vanderwerff-aye, Lyons-aye).

President’s Report: No pending items at this time.

Executive Director’s Report:

- Director Linn noted the per diem for the 3 previous meetings in FY-20 have been submitted and should be remitted to the members in the short-term. In addition, Director Linn will submit the per diem for today’s meeting this week for processing.
- Director Linn requested the members return Form 11 as soon as possible following the rules hearing.
- Director Linn thanked the members their participation and the time they spent in the last couple months. I appreciate it immensely.
- Director Linn thanked Duane Mergen for his time on the Commission and the service to his industry.

President Lyons noted the next Commission meeting is tentatively scheduled for July 16, 2020 in person in Pierre pending CDC guidelines (COVID-19) regarding in person meetings.

President Lyons requested comments from the members. Russ Vanderwerff informed the Commission of his concerns regarding the process utilized to adopt the code and recommends the Commission review the process during upcoming meetings.

President Lyons made a motion to adjourn the Commission Meeting. Duane Mergen seconded the motion. A roll call vote was held. **MOTION PASSED.** (Cronin-aye, Eide-aye, Fuerst-aye, Hoffman-aye, Mergen-aye, Vanderwerff-aye, Lyons-aye).

Meeting adjourned at 9:38 a.m.

INSPECTORS MEETING
Microsoft Teams
Wednesday June 10, 2020
9:00 A.M. CDT

Agenda

Call the Meeting to Order

Attendees: Brent Schoulte, Stan Rogers, Kyle Dahl, Jason Wingert, Tony Rath, Thad Stoddard, Bob Jaskulka, Scott Ochsner, Dan Schoenfelder, Aaron Dimitt, Jeff Hotchkiss, Doug Brende, Curt Mitchell, Tim Heairet, Tom Kelly, Larry Kippes, Jeff Laurus and JJ Linn.

Administrative

SimPush – tabled until next meeting

Issues with WIFI shutting off – WIFI notification policies downloaded from bit.

NFPA in PDF form – Inspector to order their own and then expense. Wait until adoption is confirmed prior to ordering

Low Voltage Inspection – tabled – Brent to write proposal

Inspection Process

Reports

DT, FT, and FV require an entry in the reports tab or an explanation in inspections remarks to justify no letter.

Fee Process

Fees

Eliminate the thought of utilizing plus circuits if there is no service involved.

Documentation of Inspections

Code

Approved for toolbox once NEC 2020 has been adopted:

Remove 210.8 A 10 - Guidance is a cabinet is not considered a door, doorway or window.

Removed: 230.67 – Surge protectors required for service change outs – update toolbox

230.85 Disconnect is required on a service change out.

Disconnect is required when an alteration is conducted on the load side of the meter.

A meter replacement is not considered altering the load side.

A disconnect may be before or after the meter.

A utility disconnect does satisfy the requirement.

Required to be on site of installation

Required to be within a line of sight of the structure at time of installation.

Note: line of sight does not limit the number of feet from structure.

314.27 (C) Fan box is required for all boxes in excess of 3 feet from any wall in habitable rooms.

Pending Additional Review NEC 2020

110.26 (C)(2) – Installers are required to comply with the large equipment requirements when the new equipment added to the existing equipment meets the threshold.

The 6-foot rule includes the width of the equipment plus any space in between.

Door openings cannot hinder your exit. The minimum space between any extended portion of the equipment is required to be 24" from any extended portion of adjacent equipment or other structure.

210.8 (A)(11) mud room entrances and front doors – Drain is damp

210.8(A)(5) Define basement – Any portion of given level with a floor in direct contact with the earth is below grade level.

Update: Shingles, tin, steel, or other permanent roofing material installed (tar paper does not satisfy this requirement). Add Roofing materials list approved on toolbox – Scott and Doug

The subject of pole barns has come up again and the best wiring practice for those when not being finished – Kyle – required to be on face

Allowable method for water heater disconnects when not within sight of panel – Kyle – a dryer cord cannot be utilized as a disconnect as it is not properly grounded.

250.52 Require a ground rod when unable to view ufer – Brent – any installation which does not have the ufer connection readily available at time of inspection will be required to supplement with a ground rod.

Items for JJ to follow up on:

New Business

Next Meetings

Commission Meeting –

Election of Officers

36-16-7. Officers of commission--Expenses of members. The members of the State Electrical Commission shall select from their members a president and a secretary/treasurer. Each member of the commission except as provided in § 36-16-4 shall receive travel expenses pursuant to § 3-9-2 when actively engaged in the discharge of the member's duties.

Source: SL 1963, ch 216, § 4 (1); SL 1986, ch 27, § 29; SL 1994, ch 301, § 1.

Sean Lyons elected President July 21, 2016

John Hoffman elected Secretary/Treasurer July 13, 2017

Minutes from 7/24/19 meeting regarding election of Officers:
President Lyons announced nominations are now in order for the office of President. Commissioner Hoffman nominated Sean Lyons; Seconded by Cronin. President Lyons requested additional nominations. Hearing none President Lyons declared Sean Lyons elected to the position of President by acclamation. President Lyons announced nominations are now in order for the office of Secretary/Treasurer. Commissioner Cronin nominated John Hoffman; Seconded by Lyons. President Lyons requested additional nominations. Hearing none President Lyons declared John Hoffman elected to the position of Secretary/Treasurer by acclamation.

SD Electrical Commission (SDEACT)

GL Budget Performance

Revenue

Percentage Used

07/01/2019 to 06/30/2020

07/09/2020 8:53:29 AM

Page 1

Description	Budget	Actual	Remaining	Percent
4293800 Permits - EC & CBE's	90,000.00	101,960.00	(11,960.00)	113.29
4293801 Permits - HO	9,000.00	8,710.00	290.00	96.78
4293802 Permits - Form B's	16,000.00	20,795.00	(4,795.00)	129.97
4293803 EI License	2,220.00	1,440.00	780.00	64.86
4293804 EC License	90,000.00	80,165.00	9,835.00	89.07
4293805 CBE License	1,000.00	840.00	160.00	84.00
4293806 JM License	58,660.00	58,760.00	(100.00)	100.17
4293807 AE License	22,000.00	28,380.00	(6,380.00)	129.00
4293808 IEC License	6,000.00	5,590.00	410.00	93.17
4293809 ICBE License	300.00	240.00	60.00	80.00
4293810 IJM License	3,200.00	3,280.00	(80.00)	102.50
4293811 EC Reciprocal License	5,500.00	5,000.00	500.00	90.91
4293812 JM Reciprocal License	3,000.00	3,280.00	(280.00)	109.33
4293813 Maintenance License	5,000.00	400.00	4,600.00	8.00
4293814 Exam Fees	7,000.00	9,900.00	(2,900.00)	141.43
4293815 Re-Exam Fees	2,000.00	1,880.00	120.00	94.00
4293816 Undertaking Fees	5,000.00	4,185.00	815.00	83.70
4293817 Inspection Fees	1,150,000.00	1,150,105.74	(105.74)	100.01
4293818 Re-Inspection Fees	250,000.00	123,267.00	126,733.00	49.31
4293819 501(d) License	120.00	400.00	(280.00)	333.33
4393200 Administrative Fee	50,000.00	57,307.00	(7,307.00)	114.61
4393201 Re-instatement Fees	30,000.00	350.00	29,650.00	1.17
4920045 Non Operating Revenue - Inter	20,000.00	13,440.40	6,559.60	67.20
4929050 Service Charge	0.00	200.00	(200.00)	0.00
Total Revenue	1,826,000.00	1,679,875.14	146,124.86	92.00

SD Electrical Commission (SDEACT)

GL Budget Performance

Expense

Percentage Used

07/01/2019 to 06/30/2020

07/09/2020 8:28:10 AM

Page 1

Description	Budget	Actual	Remaining	Percent
5201010 Salaries - Full time	850,000.00	813,363.32	36,636.68	95.69
5201020 Salaries - Part time	60,000.00	58,875.72	1,124.28	98.13
5201030 Salaries - Commission Membe	800.00	1,080.00	(280.00)	135.00
5202010 OASI	73,000.00	65,640.09	7,359.91	89.92
5202020 Retirement	52,000.00	49,646.09	2,353.91	95.47
5202060 Health Insurance	182,000.00	221,624.45	(39,624.45)	121.77
5202080 Worker's Compensation	1,800.00	1,133.82	666.18	62.99
5202090 Employment	1,000.00	383.62	616.38	38.36
5203010 Fleet & Travel	240,000.00	218,674.25	21,325.75	91.11
5203020 Private Car - Low Milage	2,000.00	839.04	1,160.96	41.95
5203030 Private Car - High Milage	2,000.00	1,046.64	953.36	52.33
5203060 Air Travel	1,000.00	0.00	1,000.00	0.00
5203100 Lodging - In State	11,000.00	12,815.89	(1,815.89)	116.51
5203120 Incidental Travel - In State	500.00	0.00	500.00	0.00
5203140 Meals - Taxable	33,000.00	33,145.00	(145.00)	100.44
5203150 Meals - Non-taxable	8,000.00	10,836.00	(2,836.00)	135.45
5203210 Auto - Out-of-State - Low milaç	1,000.00	261.05	738.95	26.11
5203230 Auto - Out-of-State - High mila	1,000.00	0.00	1,000.00	0.00
52032600 Air - Comm - Out of State	1,000.00	984.10	15.90	98.41
5203300 Lodging - Out-of-State	3,000.00	928.54	2,071.46	30.95
5203320 Out-of-State Incidentals	500.00	60.00	440.00	12.00
5203350 Meals - Out-of-State	1,000.00	272.00	728.00	27.20
5204010 Subscriptions	300.00	0.00	300.00	0.00
5204020 Dues & Membership	5,000.00	2,615.00	2,385.00	52.30
5204090 Management Consultant	0.00	4,800.00	(4,800.00)	0.00
5204160 Registration Fees	5,000.00	335.00	4,665.00	6.70
5204180 BIT - Computer Services	60,000.00	38,720.87	21,279.13	64.53
5204181 BIT - Development Cost	7,000.00	7,442.39	(442.39)	106.32
5204200 Central Serv - Records Mgmt -	35,000.00	28,834.19	6,165.81	82.38
5204220 Equipment Service & Maintenz	1,500.00	1,276.12	223.88	85.07

SD Electrical Commission (SDEACT)

GL Budget Performance

Expense

Percentage Used

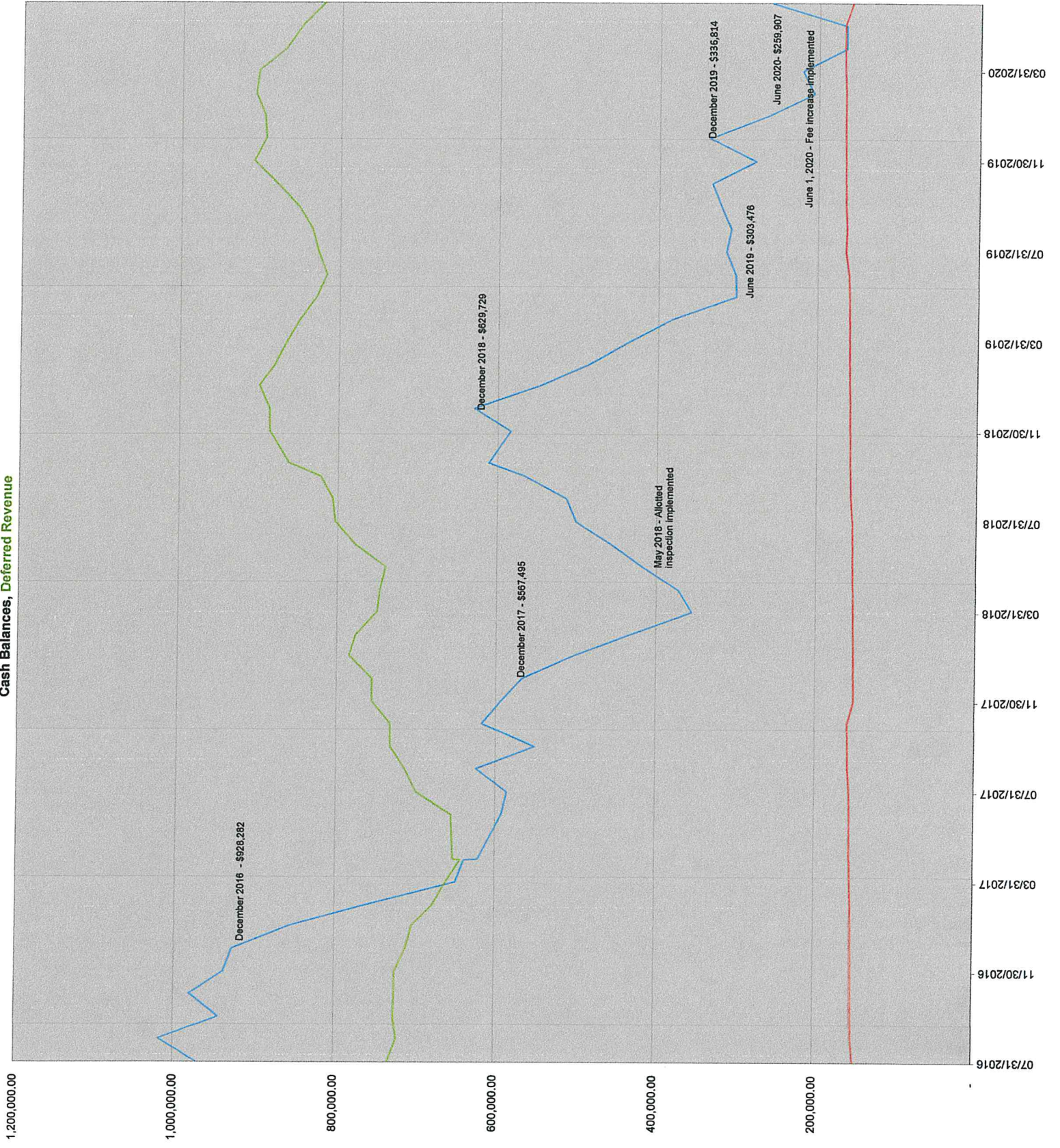
07/01/2019 to 06/30/2020

07/09/2020 8:28:10 AM

Page 2

Description	Budget	Actual	Remaining	Percent
5204230 Janitorial	1,600.00	1,162.80	437.20	72.68
5204340 Computer Software Maintenan	1,500.00	268.80	1,231.20	17.92
5204360 Advertisement	1,500.00	982.61	517.39	65.51
5204490 Rent	13,000.00	12,502.45	497.55	96.17
5204510 Rent - Others/Meeting rooms	1,000.00	985.00	15.00	98.50
5204530 Telecommunications - Phone t	24,000.00	22,042.80	1,957.20	91.85
5204550 Garbage	200.00	77.41	122.59	38.71
5204590 Insurance Premiums & Surety	6,000.00	5,755.42	244.58	95.92
5204960 Other Contractual Services - C	8,000.00	4,887.25	3,112.75	61.09
5205020 Office Supplies	6,500.00	1,150.52	5,349.48	17.70
5205028 Office Supplies - Other	5,000.00	5,306.05	(306.05)	106.12
5205040 Education & Instructional Servi	0.00	4,391.50	(4,391.50)	0.00
5205310 Printing - State	2,000.00	1,692.23	307.77	84.61
5205320 Printing - Commercial	14,000.00	7,017.47	6,982.53	50.12
5205330 Supp. Public & Ref Material	2,000.00	0.00	2,000.00	0.00
5205350 Postage	16,000.00	10,183.56	5,816.44	63.65
5205370 Clothing	1,500.00	0.00	1,500.00	0.00
5205980 Procurement/Credit Card	2,000.00	0.00	2,000.00	0.00
52074510 Office Furn & Fixtures	500.00	0.00	500.00	0.00
52074910 Telephone Equipment	500.00	0.00	500.00	0.00
5207900 Computer Hardware	15,000.00	10,339.43	4,660.57	68.93
5207960 Computer Software	500.00	0.00	500.00	0.00
5208080 Refund of Prior Yrs Rev	0.00	7,969.00	(7,969.00)	0.00
5228000 Oper Trans Out	70,000.00	54,367.77	15,632.23	77.67
Total Expense	1,831,700.00	1,726,715.26	104,984.74	94.27
Total Revenue Over (under) Expenses	(5,700.00)	(46,840.00)	(41,140.00)	

**General Fund and Undertaking Fund
Cash Balances, Deferred Revenue**



South Dakota Electrical Commission

Inspectors Time Usage 07/01/2019 to 06/30/2020

	Annual		Inspect		Office		Driving		Inspect		Total		Total		Hours		Miles	P/55
	Total	Holiday, Meeting & Sick	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Per RI+F	Other	Cont	Cont	Per	Cont		
	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Per RI+F	Cont	Cont	Cont	Per	Cont		
Brent Schoulte	2,004	329	138	-	512	1,026	1,538	300	609	1.69	2205	3114	0.49	29,367	584			
Stan Rogers	2,000	442	45	31	728	755	1,482	258	567	1.80	239	1064	1.39	45,930	835			
Kyle Dahl	2,027	100	64	162	440	1,262	1,701	564	667	1.38	1613	2844	0.60	26,495	482			
Ron Lunder	1,713	240	85	35	421	932	1,353	295	477	1.75	236	1008	1.34	21,661	394			
Jason Wingert	1,989	322	90	-	568	1,010	1,578	527	651	1.34	1880	3058	0.52	22,029	401			
Dan Larson	344	-	16	1	150	178	328	117	150	1.23	217	484	0.68	7,231	131			
Anthony Rath	1,237	123	73	103	304	635	939	92	471	1.67	783	1346	0.70	17,961	327			
Thad Stoddard	1,993	198	66	72	706	953	1,658	353	461	2.04	920	1734	0.96	17,548	319			
Bob Jaskulka	1,999	341	103	11	806	738	1,544	514	460	1.59	848	1822	0.85	28,876	525			
Scott Ochsner	2,179	147	35	-	405	1,593	1,997	931	782	1.17	3114	4827	0.41	27,462	499			
Dan Schoenfelder	2,009	241	53	-	491	1,225	1,715	534	506	1.65	1798	2838	0.60	27,426	499			
Aaron Dimitt	1,966	333	110	-	580	943	1,523	216	389	2.52	2003	2608	0.58	23,555	428			
Jeff Hotchkiss	2,055	275	72	-	638	1,071	1,709	315	539	2.00	1040	1894	0.90	30,830	561			
Doug Brende	2,139	177	76	-	654	1,232	1,886	449	445	2.11	1321	2215	0.85	33,815	615			
Curtis Mitchell	1,999	244	97	86	695	878	1,573	434	835	1.24	956	2225	0.71	35,000	636			
Tim Heairet	2,056	239	121	10	598	1,089	1,687	409	460	1.94	2570	3439	0.49	14,769	269			
Totals:	29,706	3,749	1,240	508	8,693	15,516	24,209	6308	8469	1.64	21743	36520	0.66	409,955	7,454			
Averages:	1,857	234	78	32	543	970	1,513	394	529	1.64	1359	2283	0.66	25,622	466			
Tom Kelly	509	-	49	-	124	336	460	182	257	1.05	472	911	0.50	-	-			
Totals:	509	-	49	-	124	336	460	182	257	1.05	472	911	0.50	-	-			
Averages:	509	-	49	-	124	336	460	182	257	1.05	472	911	0.50	-	-			
Period Totals:	30,214	3,749	1,289	508	8,817	15,852	24,669	6490	8726	1.62	22215	37431	0.66	409,955	7,454			
Period Averages:	1,777	221	76	30	519	932	1,451	382	513	1.62	1307	2202	0.66	25,622	466			

South Dakota Electrical Commission

Inspectors Statistics

07/01/2019 and 06/30/2020

Inspector	BD	Permits	Transfers	Finals	ED	RI	DT	Other	Total Contacts
00 Administration	-	-	266	(266)	-	-	7	241	2,482
1 Brent Schoulte	481	795	(72)	(609)	595	-	300	27	2,157
2 Stan Rogers	416	550	1	(567)	400	-	258	13	2,14
3 Kyle Dahl	544	771	66	(667)	714	-	564	58	1,529
4 Ron Lunder	370	458	(351)	(477)	-	-	295	10	226
5 Jason Wingert	438	821	22	(651)	630	-	527	9	1,862
6 Dan Larson	352	304	(506)	(150)	-	-	117	9	208
7 Anthony Rath	345	209	29	(471)	112	-	92	4	777
8 Thad Stoddard	279	516	159	(461)	493	-	353	13	907
10 Bob Jaskulka	552	568	29	(460)	689	-	514	10	831
11 Scott Ochsner	469	899	52	(782)	638	-	931	32	3,054
12 Dan Schoenfelder	415	671	31	(506)	611	-	534	28	1,769
13 Aaron Dimitt	433	449	(43)	(389)	450	-	216	80	1,913
14 Jeff Hotchkiss	397	702	(35)	(539)	525	-	315	11	1,023
17 Tom Kelly	145	175	126	(257)	189	-	182	3	468
21 Doug Brende	350	481	93	(445)	479	-	449	15	1,291
22 Curtis Mitchell	357	761	178	(835)	461	-	434	6	946
24 Tim Heairet	378	710	(45)	(460)	583	-	409	21	2,538
Totals:	6,721	9,840	-	(8,992)	7,569	-	6,497	590	24,195
									31,316