

SOUTH DAKOTA ELECTRICAL COMMISSION

Minutes of the Electrical Commission meeting held on January 15, 2009 at the AmericInn, Chamberlain, South Dakota.

The meeting was called to order by President Simonson at 9:00 A.M.

President Simonson welcomed the new members to the Commission.

Members present were Larry Simonson, Harlan Nielsen, Steve Nielsen, Cam Becker, Linda Eidem, Jesse Smith, and Robert Cronin.

Others present Todd Kolden – Dept of Labor, Kory Rawstern – Madison, Larry Kippes – City of Sioux Falls Inspector, JJ Linn – Executive Director, and Diana Peterson – Office Secretary.

Motion by Becker, seconded S. Nielsen to approve the agenda. Motion approved.

Motion by Becker, seconded by H. Nielsen to approve the minutes of October 2, 2008. Motion approved.

The Executive Director gave an update on the inspector's meeting that included the following:

1. Flex time policy
2. Leave notification policy
3. Consistency in inspections
4. Temporaries can only inspect residential and farmstead
5. Meeting proposals
6. 3 year old permits
7. Sanford Lab
8. Computers
9. Legislative update
10. Proposed rule changes
11. Wiring Bulletin

Larry Kippes thanked the Commission for allowing the Inspectors to help at the Western Section IAEI Convention in Rapid City. Larry offered the Commission any help from the City of Sioux Falls and encouraged an open line of communication between the Commission and the City of Sioux Falls.

Motion by H. Nielsen, seconded by Becker to go into executive session at 9:15 A.M. Motion approved.

Commission noted there was no action taken resulting from executive session.

The Commission suggested all policies be sent to the Code Committee and then proposed at Commission meetings for approval. All Commission members not on the Code Committee are to be carbon copied regarding proposed policies.

The Executive Director discussed the following meeting policy which will be submitted to the Code Committee:

1. The proposed meeting policy for the Commission is an in-person meeting in January and July and conference call meeting in April and October. All meetings will fall on the third Thursday of the corresponding month.
2. The proposed meeting policy for Inspectors is an in-person meeting in January and July the day prior to the Commission meeting and in April and October via conference call/in-person.

The Executive Director is working with the Inspectors who are not living in or near their districts.

The Executive Director recommended that anyone receiving a score greater than 80% be allowed to receive the Electrical Inspector's license. No action was taken at this time.

The Staff will be working on guidelines for 3rd Party Inspectors as a long-term project.

The Executive Director reported the wiring bulletin has been printed. The Inspectors raised their concern in regards to the accuracy of the wiring bulletin at the Inspectors meeting. The Staff will be reviewing the bulletin with assistance of the Inspectors to rectify the situation.

Part of the Inspector's code classes will include how to fill out permits and figuring inspection fees.

A new staff listing was e-mailed to the Commission.

The Executive Director presented legislation being proposed for a ceiling on our fees. The ceilings are being put in statutes for all agencies so they are consistent.

The Executive Director presented the "License File Checklist" that will be put in each licensee's file.

The meeting recessed at 10:50 A.M.

The meeting reconvened at 11:00 A.M.

The Commission met with Michelle Porter with ICC and Andrea Radwanski with Pearson VUE via conference call. Andrea gave an update on testing sites. Sioux Falls site is now testing once a week instead of twice a month. Training will be done at the Huron site on January 27th and testing will start there. They are having technical problems with the software at the Aberdeen site. Watertown site is waiting for a signed contract. The site in

Rapid City fell through so they are looking at other sites in the general area. A request was made by the Commission for a site in Pierre. The Commission also asked if there was a signed contract with ICC. Michelle stated that there was not, yet she would check with Doug and let us know if one exists. Pearson VUE is to send a deadline to the Commission when all the sites will be up and running.

The Executive Director reviewed the steps in the revocation of some Journeyman licenses. Todd Kolden stated that there may be some legislation in regard to these licenses, yet none has been proposed at this time. A draft revocation letter was presented to the Commission for their action. Motion by Eidem, seconded by S. Nielsen to send out the revocation letters to the 48 licensees in question. Motion approved.

The Executive Director reported on the reciprocal agreements. He is working with North Dakota, Minnesota, and Nebraska on a reciprocal agreement for Electrical Contractors (Masters). The Multi-State Agreement by-laws have proposed amendments to be voted on in February via conference call. Motion by H. Nielsen, seconded by Becker that JJ Linn is the voting member for the Commission at the Multi-State meeting. Motion approved.

A discussion was held on the proposed rule changes. The concerns of the Commission on exempting the modular structures leaving the State were liability and loss of revenue. The surrounding states do not inspect modular units leaving their states. Businesses in South Dakota need to be competitive.

A discussion was held on changing the 15 day requirement for sending in the white copy of the permit to 45 day. The Inspectors did not like the change because they will not have the permit on the computer before the electrician calls for an inspection, the job may be completed in 45 days and too difficult to get the job inspected. The Commission recommended leaving the requirement at 15 days. It was also recommended changing the \$100 fee for not posing a permit to \$250 and changing the \$250 fee for not sending in a permit within 15 days to \$100.

The other proposed rules were reviewed with no discussion.

Motion by S. Nielsen, seconded by Eidem to move forward with setting a hearing date for the proposed rule changes as presented. Motion approved.

The Executive Director mentioned a request that an Electrical Contractor who received his license via his Electrical Inspector's license have his Electrical Contractor's license state by exam not issuance. This will be tabled until the next meeting.

The Executive Director reviewed the member orientation packets with the Commission which contain details on open meeting laws and the complaint process.

The Executive Director reported on the meeting with Sanford Lab. They will be posting permits for quarterly inspections as required by statute.

The Executive Director reviewed the reports with the Commission.

Motion by Becker, seconded by H. Nielsen to approve the reports. Motion carried.

Motion by Becker, seconded by H. Nielsen to go into executive session at 12:40 P.M.
Motion approved.

Out of executive session at 12:55 P.M.

No action was taken from the executive session.

The Code Committee stated they were contacted by an Inspector regarding journeymen on commercial jobs. Executive Director will restate to Inspectors to request license cards at job sites.

The Personnel/Budget Committee asked about the status of the Inspector's PDQ's. The Executive Director reported there was no change in classification.

The Public Relations Committee expressed their request to address permit requirements in the newsletter and expressed at public forums.

President Simonson asked about the North Dakota issues. The Executive Director stated he has been in constant contact with North Dakota .

The next meeting dates are April 16, 2009 in Pierre and July 16, 2009 in Pierre.

Motion by Eidem, seconded by H. Nielsen to adjourn the meeting at 1:00 P.M. Motion approved.

Cam Becker, Commission Secretary