

DRAFT
State of Oregon

Agenda
Item
I.D.

Electrical and Elevator Board

Meeting minutes
February 28, 2008

- Members present:** Lowell Arno, Chairman
Douglas Aljets, Vice-chairman
Michael Broomfield
Michael Casley
James Fahey
Thomas Faires
James Johnston
Thomas Lindberg
Michael Miner
Tim Nicol
Craig Perkins
Nolan Shefstad
Sherry Sherman
Bruce Soihr
- Members absent:** Daniel Maher
- Staff present:** Mark Long, administrator
Twyla Knowles, policy and technical services assistant manager
David Galati, regional services manager
Jim Denno, statewide services manager
Dennis Clements, chief electrical inspector
Jon Hills, enforcement and licensing manager
Robert Salinas, enforcement and licensing assistant manager
Chris Huntington, policy analyst
Aeron Teverbaugh, policy analyst
Brent Griffiths, enforcement officer
Matt Rodriguez, enforcement officer
Grant Zadow, assistant chief electrical inspector
Stan Penrose, electrical code specialist
Nathan Philips, consultant
Kaylan McAllaster, boards coordinator
Dana Fischer, para-technical
Shauna Parker, rules coordinator/temp
- Guests present:** John Powell, continuing education instructor
Rod Belisle, NIETC
David Roshak, City of Portland
Dean Erickson, Cooper Industries
Al Hewitt, Cooper Industries
Gary Lile, City of Gresham
Mark Stenberg, Local Union 290
Eugene Morgan, Clackamas County
Joe Andre, NEMA
Warren Shill, Underwriters Laboratories
Jim Schwager, Portland Bureau of Fire and Rescue

I. Board business

A. Call to order

Chairman Lowell Arno called the Electrical and Elevator Board meeting to order at 9:30 a.m. The meeting was held at the Building Codes Division, Conference Room A, 1535 Edgewater Street NW, Salem, Oregon.

B. Roll call

Daniel Maher was absent excused.

C. Approval of agenda and order of business

Agenda item III.C.3 has been removed.

Chairman Arno **RULED** the agenda and order of business approved as amended.

D. Approval of board meetings minutes of December 6, 2007 and January 10, 2008

December 6, 2007 draft minutes page 4 section III.D. replace "Bruce Dobbs" with "Bruce Soihl."

December 6, 2007 draft minutes correct spelling of Mike Minor to Miner.

Chairman Arno **RULED** the board meeting minutes approved as amended.

E. Date of the next regularly scheduled meeting

March 27, 2008

II. Public comment - None

III. Reports

A. Building Codes Division administrator's report

Administrator of Building Codes Division Mark Long discussed the [BCD Update](#) information packet.

Accela-products has been chosen as the vendor for E-permitting software and contract negotiations with Accela will begin in the next few weeks. The goal is to have the system available for testing in about a year and the system up and running in June 2009.

The division will be working with the City of Portland as they look into developing a local ordinance that will adopt green building and sustainable development standards.

There has been some discussion that Oregon's Building Code may not be user-friendly for green builders, the division is looking into this point.

Board member Mike Broomfield is excited to see a local adoption process for green building in Portland.

Over the next two to three months, the division will be increasing its efforts to explore web-based training and web seminars (webinars). The division is interested in piloting a web-based class to explore how well the electronic dialog will work.

A work group has been established to gather information and evaluate the options for building department accreditation.

The Engineers board is likely to come out in the near future with an interpretation regarding when plans for a fire protection sprinkler system will need a stamp of approval from a registered engineer or a licensed architect. The division may adopt additional rules concerning electrical licenses that are allowed to design and layout electrical systems without an engineer or architect stamp.

Administrator Long reviewed the graphs from enforcement in 2007 detailing civil penalty revenue and closed cases. Collections versus assessments are high.

Administrator Long let the board members know the division has restarted the board chair/vice chair meetings. The purpose is to keep all seven boards consistent.

[Senate Bill 10](#) is effective as of January 1, 2008. This is important to board members because the scope of “public officials” includes board members, not just elected officials. There are new limits on how much a public official can receive in gifts. If you have questions, you can contact the Building Codes Division or the Ethics Committee. The division is compiling a list of questions to give to the Ethics Committee to develop a [FAQ sheet](#). As the division receives more information, it will be passed on to the boards.

Board member Broomfield asked if SB 10 addressed third party involvement as it may apply in this area.

The division will research the question and get back to the board.

Administrator Long distributed a Board Responsibilities [Matrix](#) – General Overview. The matrix gives the board members an overview of the respective responsibilities of the division and the boards.

B. Legislative update - None

C. Enforcement cases

Enforcement and Licensing Manager Jon Hills introduced new staff member Matt Rodriguez.

Manager Hills gave a brief update that enforcement staff provided ticket book training in Sandy and St. Helens; as well as meeting with the Southern Oregon Chapter of the ICC to provide information regarding what BCD enforcement does, how BCD can assist ICC and how ICC can assist BCD.

1. Final Order in the matter of Mark L. Hanson.
Motion by Tim Nicol to approve as recommended
Motion carried unanimously
2. Final Order in the matter of Delta Electric and Curtis S. Swanson.
Motion by Mike Broomfield to approve as recommended
Motion carried unanimously

D. Summary of enforcement actions previously taken by the division for cases 1 through 18 outlined on the enforcement board report. (No board action required)

Enforcement Officer, Brent Griffiths gave a brief summary of enforcement action against Thomas Ross, case number 2007-0301. Mr. Ross, an unlicensed individual, acquired a permit using another licensed person's name to do electrical work.

Tim Nicol asked if Mr. Ross has a Construction Contractors Board (CCB) license, and if the division is in communication with CCB regarding this incident.

Enforcement Officer, Brent Griffiths responded he does not believe Mr. Ross has a CCB license, however anytime enforcement identifies an issue like this they are in contact with the CCB so it may take the appropriate action as well.

Chairman Arno thanked the enforcement team for their continued diligence.

Chair Arno clarified a comment by the ALJ regarding ORS 479.540; from agenda item III.C.1, Final Order for Hanson. It states: a person is required to obtain a permit for work on alterations or replacement of parts in electrical installation as necessary for maintenance of existing electrical installations on residential property owned by the person or by a member of the persons immediate family. This sub-section does not establish an exemption for new electrical installations or substantial alternations to an existing electrical installation.

(Board took a short break)

E. Program updates

Electrical update: Dennis Clements, chief electrical inspector, informed the board of old exam questions being removed to adjust for new 2008 code. The code is anticipated to be adopted April 1, 2008. 2008 code specific questions should be on the test by late summer.

The division has increased its electrical program presentations to a seventh area. Presentations have occurred in: Hermiston, Ontario, Tangent, Ashland, Redmond, Portland and North Bend. Attendance and participation has been good, in one meeting ten inspectors were in attendance.

Correspondence courses offered by the division have been taken offline to be updated.

Board member Thomas Lindberg asked if part of the continuing education is to keep them up to speed on how the department is operated.

Chief Clements responded yes, current rules and laws are included in the continuing education.

Elevator update: Jim Denno, state inspection services manager, reported the division has hired two new inspectors: Tom Cade and Glenn Baker, one will be covering southern Oregon; the other will cover the Lane County area. The minor labels committee is planning to meet in April. It will discuss the expansion of the minor label program to include elevators.

Inspector Ron Crabtree will be moving to Salem as of next Monday.

The code adoption process for elevators will begin this spring, as well as revision of the inspector certification exam.

Inspector Crabtree has been giving seminars in Albany and Medford for emergency personnel on extracting people from elevators.

There have been two fatal accidents since the last meeting. Accidents occurred at a man-lift in McMinnville and an escalator in Salem, neither accident was caused by an equipment failure.

Board members Lindberg requested to receive more than just a verbal report when there are fatalities.

Manager Denno offered to make copies of the accident reports for the board.

IV. Communications - None

V. Appeals – None

VI. Unfinished business

2008 Oregon Electrical Specialty Code (OESC)

Consultant Nathan Philips reviewed for the board the proposed amendments to the 2008 OESC. The code from last meeting has been adjusted and the division would like the board to reconsider and concur with the changes.

Motion by Tim Nicol to reconsider
Motion carried unanimously

[Eugene Morgan](#) commented on OAR 918-305-0160 amending section 250.32. He feels all of section 250.32 is needed to establish the correct parameters for installation. Paragraph (b) is not written correctly. Paragraph (c) has incorrect references to the OESC. In addition, he would like a disclaimer for the NEC selective coordination.

[Jim Schwager](#) is in favor of the technical provisions for OAR 918-305-0280 (Selective Coordination provisions), however, there are some language changes he would like to suggest to the board to further clarify.

Dave Roshak is concerned with the preface language. He feels the language takes away the ability to review or inspect from the local jurisdiction and puts it on the division, but does not require the division to be notified if work is being done on an emergency system.

Al Hewitt is in favor of the proposed language for Selective Coordination but is concerned with how it will be enforced.

Sherry Sherman agrees with Mr. Morgan and has some concerns with the proposed language as written. She asks the other board members if they have any opposition to Mr. Morgan's changes.

Consultant, Nathan Phillips addressed some of the concerns. The division does not regulate electrical engineers, which is why enforcement is not included in the language.

Chairman Arno would like the board to decide if they are going to proceed with the division's recommended language or if they would like to modify the language.

Tim Nicol asked if the board were to adopt the divisions recommended changes today would it be a possibility, in the future, to incorporate some of these concerns through a statewide interpretation or other medium.

Aeron Teverbaugh, policy analyst, explained the changes in further detail and why they were suggested. Reviewing the first paragraph, the committee recommendation was to go back to 2005 language of the NEC. The only difference between the 2005 and 2008 language is the specific cite changes from 250.50 to part 3 of article 250. This change is the same as originally presented to the board.

Paragraph B; the committee and board decided to go back to the 2005 language. One of the minor changes suggested by the division is to replace the exception 918-305-0160 (i) to 918-305-0160 (a) because the 2008 language for this section was clearer than the 2005.

There was a formatting issue with the duplication of section one and two which made the rules very unclear. The division recommended section one and two of the 2005 OESC be referenced as section one and two of the 2008 OESC.

Administrator Long clarified the board and committee wanted to stay with the 2005 language and the only changes that are being recommended now are formatting changes to make it clear where the 2005 language is being carried over to the 2008 code.

John Powell clarified the purpose of the code change proposal is to get back to the requirement for an equipment grounding conductor to be run to separate structures only if there was continuous metallic pathways between the structures. What is making it challenging to use the 2005 language is the required formatting changes for the 2008 code.

Administrator Long discussed the third issue about how to enforce selective coordination. The division is not suggesting it be responsible for inspecting the jurisdictional installations in Oregon. The enforcement provisions address life and safety concerns, so the division would be able to take some action, if necessary.

Doug Aljets is concerned the contractor is going to be liable for products the manufacturer and engineer are not willing to support.

John Powell is concerned that manufacturers cannot provide documentation that their products are coordinated.

Al Hewitt explained there are three fuse manufacturers, and one circuit breaker manufacturer, he is aware of, who can provide complete selective coordination.

Chairman Arno confirmed all board members agree on the technical provisions as presented.

Administrator Long clarified all the proposed changes made by the division. He also explained changes can be made later if necessary.

Motion by Tim Nicol to adopt the division's recommended changes to the proposed 2008 OESC, with the finding that the added cost, if any, is necessary to the health and safety of building occupants, or necessary to conserve scarce resources.

Motion carried unanimously

VII. New business

Reciprocal licensing

Policy Analyst Aeron Teverbaugh reviewed the reciprocal licensing proposed rule from the division. The proposed rule refines reciprocal licensing guidelines so that the original intent of reciprocal licensing agreements is put into effect. The division enacted temporary rules, effective January 3, 2008.

Tim Nicol asked if a person who has lost their license in another state after getting a reciprocal license in Oregon would automatically lose their Oregon license.

Aeron Teverbaugh responded there are new enforcement tools that will allow enforcement to take into consideration actions taken against individuals in other states. They can condition, suspend or refuse to renew an Oregon license.

Motion by Mike Broomfield to adopt the staff recommendation and move to public hearing.

Motion carried unanimously

VIII. Announcements - None

IX. Adjournment

Chairman Lowell Arno adjourned the meeting at 12:00 p.m.

Respectfully submitted by,

Kaylan McAllaster
Boards Coordinator